



Debates

WEEKLY HANSARD
SEVENTH ASSEMBLY

Legislative Assembly for the ACT

2 APRIL 2009

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Thursday, 2 April 2009

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Thursday, 2 April 2009

MR SPEAKER (Mr Rattenbury) took the chair at 10 am 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) Amendment Bill 2009

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—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (10.01): I move:

That this bill be agreed to in principle.

In February 2008, the Legislative Assembly passed the Road Transport (Third-Party Insurance) Act 2008, which established a new compulsory third party—CTP—scheme in the ACT. This new scheme replaced the 60-year-old model of third party insurance that was in existence at the time. The new act was designed to bring about the most modern scheme of CTP insurance in Australia, with the objective of improving health outcomes for those injured as a result of motor vehicle accidents, fostering competition and reducing CTP premiums.

This bill seeks to finetune the new act and make some necessary adjustments in advance of the prospect of competition. The amendments are technical and somewhat esoteric, but necessary. Under the old scheme, CTP cover for traders' plates and unregistered vehicle permits was provided by NRMA, simply because it was the sole insurer and, frankly, it was the easiest thing to do. The amendments in this bill will bring traders' plates and unregistered vehicle permits broadly into alignment with other registrable vehicles in the ACT. CTP cover for traders' plates is to be incorporated in the new competitive scheme of CTP insurance and, in the case of unregistered vehicle permits, CTP cover is to be provided by the nominal defendant under the new scheme.

In the case of unregistered vehicle permits, these provisions will relieve NRMA of the responsibility for being saddled with accepting a default insurer position, best assumed by the nominal defendant in relation to the unregistered vehicles that are the subject of these specialised permits.

In addition, the government took the opportunity to take a closer look at certain of the procedural provisions in the old scheme legislation that were carried over to the new act, to determine whether they continue to be necessary under the new scheme. As a result, there are a number of provisions to be repealed under this bill. Specifically, sections 12 to 14 of the act are considered appropriate for repeal. These sections retained the definition as the "owner" of a vehicle from the old third party insurance

legislation. By contrast, the Road Transport (General) Act 1999 uses the term “responsible person” in relation to a motor vehicle, a term that is more reflective of the actual reality of vehicle drivers, registered operators, unauthorised drivers and the like.

While the two terms are essentially defined in the same way and arguably mean the same thing, in the context of the overall provisions, they remain separate nomenclature and therefore subject to potential confusion. The bill seeks to make the new CTP act consistent with the existing suite of road transport legislation by adopting the term “responsible person” as defined in the Road Transport (General) Act 1999, in place of “owner”. Consequently, it is not necessary to retain sections 12 to 14 of the act.

Additionally, section 13 of the new CTP regulation is also considered appropriate for repeal. Given the recent comments of the scrutiny of bills committee in relation to this section, I consider this bill a good opportunity to repeal the section. This provision carried over a strict liability offence that applied in cases where a rise in premium was calculated in response to a change to the construction of use of a motor vehicle. While an offence provision may in some cases serve as a deterrent, the new act now allows for a commercial solution to apply in this situation that is more appropriate and reflects modern regulatory jurisprudence. Therefore, it is not considered necessary to retain the offence under section 13.

One of the cornerstones of the new scheme is the focus on establishing a system for those who are injured in a motor accident that was efficient and facilitated timely rehabilitation and improved health outcomes. One aspect of this was to limit the fees payable to lawyers under parts 4.8 and 4.9 of the new act that was passed and brought into effect last year.

Part 4.9 of the act is clear on the costs lawyers may receive in cases where small awards of damages are made by the court, the categories being split into awards of \$30,000 or less, or awards between \$30,000 and \$50,000. Part 4.8 of the act is also clear on the costs lawyers may receive in cases where a matter is resolved in its early stages prior to litigation, for between \$30,000 and \$50,000. The intention in part 4.8 of the act was that claims of the same value as those in part 4.9 that were resolved prior to litigation ought to attract similar treatment in relation to legal costs. Nevertheless, an inconsistency may exist in part 4.8 of the act that leaves the issue of lawyers’ costs potentially ambiguous in the case of claims that are resolved prior to litigation with final mandatory offers of \$30,000 or less.

The amendment bill seeks to make clear and consistent the intentions of parts 4.8 and 4.9 of the act such that, if a matter is resolved at the early stages prior to the commencement of litigation for \$30,000 or less, then under part 4.8 lawyers should not receive any fees. This is consistent with the new limits applied under part 4.9 to small claims that are litigated under the act with court awarded damages being \$30,000 or less.

Since the new CTP act was passed in the Assembly, the ACT Civil and Administrative Tribunal has been established. As envisaged within the occupational

discipline powers of ACAT, this tribunal is an appropriate body for the administrative review of decisions made under part 5.4 of the CTP act in relation to insurer regulatory provisions. This bill makes the necessary technical amendments to the CTP act to allow ACAT to deal with matters under part 5.4 of the act to allow occupational disciplinary orders to be pursued in lieu of prosecutions.

Finally, the government is also taking the opportunity to include in this amendment bill the transfer of transitional regulations under the new CTP legislation to the Road Transport (Public Passenger Services) Act 2001. The provisions to be transferred to that act relate to public passenger services. For insurance purposes, these services encompass a different character of issues to those dealt with under CTP insurance and, as such, it is considered appropriate that they should now be permanently placed within the Road Transport (Public Passenger Services) Act 2001.

Mr Speaker, this amendment bill finetunes the new CTP insurance scheme that came into effect in 2008 and is consistent with the new scheme's objective of providing improved outcomes for ACT motorists generally and, in particular, for all parties involved in motor accidents. I commend the bill to the Assembly.

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

Children and Young People Amendment Bill 2009

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

Title read by Clerk.

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (10.08): I move:

That this bill be agreed to in principle.

I am pleased to table before the Assembly the Children and Young People Amendment Bill 2009, proposing an amendment to the Children and Young People Act 2008. The Children and Young People Act 2008 was passed by the Assembly on 1 July last year and notified on 17 July 2008. The new act introduced new provisions for the employment of children and young people in the ACT. The act provided for the making of employment standards, work experience standards, regulations regarding "light work" and a declaration on high risk employment.

Many children, young people, families and businesses benefit from work undertaken by children and young people. For many children and young people, work brings independence, self-esteem, money, skills and friendships. For employers, work by children and young people derives economic benefits. The future direction of the legislation is to encourage employment within a best interests and safe framework for children and young people.

During the development of the standards and regulations required for the employment of children and young people in the ACT, it was identified that the definition of employment in the act was unnecessarily restrictive, and without amendment would not enable the variety of proposed employment opportunities to be undertaken by children and young people. The definition of employment in the act refers to performance of work under a contract “for” service. The use of the word “for” means that employment is restricted to those circumstances where there exists a contract between two principals where neither is the employer or employee of the other. The person is providing services as an independent contractor.

The amendment proposes to include this definition and add that employment will also mean performance of work under a contract “of” service. This minor amendment enables the employment of children and young people in an employer-employee relationship, circumstances most often engaged in by children and young people in employment.

The provisions of the Children and Young People Act 1999 continue to apply until July 2009. At that time, the development of standards and regulations will be finalised that will ensure children and young people are able to undertake work in a way that ensures their safety and wellbeing. To inform these standards and regulations, the Department of Disability, Housing and Community Services is undertaking a community consultation process which will enable consideration of broad community views.

Mr Speaker, I table the Children and Young People Amendment Bill for the consideration of the Assembly.

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

Estimates 2009-10—Select Committee Establishment

MR SMYTH (Brindabella) (10.12): I move:

That:

- (1) a Select Committee on Estimates 2009-10 be appointed to examine the expenditure proposals contained in Appropriation Bill 2009-2010 and any revenue estimates proposed by the Government in the 2009-2010 Budget;
- (2) the Committee be composed of:
 - (a) one Member to be nominated by the Government;
 - (b) two Members to be nominated by the Opposition; and
 - (c) two Members to be nominated by the Greens;to be notified in writing to the Speaker by 4 pm today;

- (3) a non-Government member shall be elected chair of the Committee by the Committee;
- (4) the Government second two ACT public servants to the Committee Office to assist in analysing the 2009-10 ACT Budget and in preparing the report of the Committee;
- (5) the Committee is to report by 16 June 2009;
- (6) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (7) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

This is the standard motion that we move at about this time of year every year to establish a committee to inquire into the budget which will be delivered in May. We are suggesting that this time the committee should be comprised of a member from the government, two from the opposition and two from the Greens, and that a non-government member shall be elected as the chair.

Paragraph (4) was put there to give extra resources to the committee office and the committee itself. It is a very busy time to examine the budget documents and report within the time frames, and there is the understanding that there was agreement that we could second public servants to do this work, as has happened before in other committees. There was some concern about how it would work, so I will shortly move an amendment that will remove that paragraph (4) and replace it with words to the effect that funds be provided to give the committee adequate resources to do their job properly. In effect, it will involve maybe a temporary parliamentary budget officer or a consultant to do some work.

The committee is to report by 16 June so that the Assembly can get on with the business of debating the budget and making sure that the people of Canberra get looked after in the way that they should. Paragraphs (6) and (7) are standard paragraphs about reporting and the provisions of the proposed resolution. I seek leave to move the amendment that has been circulated in my name.

Leave granted.

MR SMYTH: I move:

- (4) that funds be provided by the Assembly to permit the employment of additional staff for the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report;”.

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

Emergency Services) (10.14): The government will be supporting Mr Smyth's amendment and the substantive motion, but I foreshadow that, once we have dealt with Mr Smyth's amendment, I will be proposing an amendment to provide for two members nominated by the government to be represented on the committee, and I will speak to that in due course.

This motion and the amendment by Mr Smyth do reflect our understanding of what has been negotiated in the Assembly over the past week or so. In particular, in relation to Mr Smyth's amendment, I note that it proposes that funds be provided by the Assembly. The government takes that to mean by the Assembly within its existing budget and that it is not a request for any additional funding from the executive.

With that in mind, as I understand that it has been agreed, the government will be supporting the amendment, and I foreshadow that I will shortly be moving an amendment to deal with the number of government members nominated to the committee.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.15): The Greens will be supporting Mr Smyth's motion today and the amendment to the motion. This motion today addresses the important procedural issue of establishing the select committee on estimates for 2009-10. The Greens are pleased to see that the amendment to this motion will address item 2.12 of the parliamentary agreement, which called for the establishment of additional support for the estimates committee to strengthen transparency in its physical planning framework and improve scrutiny of the estimates process. As the Assembly is aware, the administration and procedure committee is currently examining the merit of appointing a parliamentary budget officer on a permanent basis by investigating roles and the functions of other models in international parliaments.

This amendment today will provide a temporary arrangement for the upcoming estimates process. That will serve as a sort of stopgap until the administration and procedure committee have reported on their inquiry. It is also very clear that, with Mr Smyth's amendment, funds provided by the Assembly are within the Assembly's current budget.

Amendment agreed to.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.16), by leave: I move:

Omit "one Member", substitute "two Members", in paragraph (2)(a).

This amendment, which I have provided to the Clerk—I note that it has yet to be circulated—simply replaces words at paragraph (2)(a). Instead of saying "one member to be nominated by the government", I propose that it say "two members to be nominated by the government".

The fact is that the government has two non-executive members who are keen to participate in the estimates committee inquiry and we see no reason why they should

not be allowed to participate. It does not in any way breach the parliamentary agreement, which indicates that the chair of the estimates committee will be a non-government member; nor does it create a situation where a majority of the committee is in the hands of the government. Indeed, the majority of the committee will remain in the hands of non-government and crossbench members.

In those circumstances—where there is no detriment to the non-government majority on the committee, nor any impact on the ability to choose a non-government chair for the committee—I find it difficult to understand why there should be any impediment to an additional government member being able to be nominated to the committee. Surely our objective should be to encourage as broad as possible involvement by non-executive members in the estimates process. This amendment allows that to occur; I commend it to the Assembly.

MR SMYTH (Brindabella) (10.19): I hear what Mr Corbell says. We actually have six members who would like to be on the estimates committee, so perhaps all non-executive members will be on the committee. I am sure that the Greens have four members who would like to be on the committee. The problem is that that is unwieldy and it is unnecessary. If we want proportionality, we can look at private members' day, where there is one Labor motion, two Greens motions and three Liberal motions because that represents the basis of the non-executive members in the Assembly. I do not think the case is strong to make it more than five. If we are going to go on the basis of everybody who wants to be on it, let us have a 12-member committee. That just gets a bit silly and a bit out of control.

Mr Corbell: If you wanted proportionality, you would have more members than the Greens.

MR SMYTH: We could do that if we wanted to, but we have chosen not to. You should have listened to what I said, Simon. You always twist things.

MADAM DEPUTY SPEAKER: Mr Smyth, will you direct—

MR SMYTH: He always twists things, Madam Deputy Speaker.

MADAM DEPUTY SPEAKER: Mr Smyth, will you direct your comments through the chair.

Ms Gallagher: From the twister.

MR SMYTH: He is the great twister; that is correct, Ms Gallagher.

Ms Gallagher: I was talking about you, Mr Smyth.

MR SMYTH: We will not be supporting the amendment. We think the five-member committee is adequate. All parties are represented relative to their strengths in the non-executive members.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.20): We will not be supporting this amendment to the numbers on the estimates committee.

We have had a look back at past estimates. Other than in the last Assembly, estimates committees had five members. We feel comfortable with the proposal put forward on the membership of the estimates committee. I do understand that there are two Labor backbenchers who want to have the opportunity to participate in various committees and so forth. There are a number of select committees coming up that will provide those opportunities. The Greens will not be supporting this amendment.

Question put:

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

The Assembly voted—

Ayes 7

Noes 10

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

Question so resolved in the negative.

Motion, as amended, agreed to.

Standing and temporary orders—amendments

MR RATTENBURY (Molonglo) (10.25): I move:

That temporary order 213A agreed to by the Assembly on 12 February 2009 be amended as follows:

Insert the following new paragraph:

“(5A) Where the Assembly requires a document to be returned, either the document requested or a claim of privilege must be given to the Clerk within 14 calendar days of the date of the order by the Assembly.”.

I will speak very briefly to this. This is a small adjustment that I am putting forward to the new standing order that we adopted just in February relating to the process for the seeking of government documents and, where necessary, the appointment of an independent arbiter.

I simply see this as a small procedural addition to the motion. We did discuss this briefly when we talked about the standing order in February. In light of recent experience, the reason I propose this motion is that both myself as the Speaker and the Clerk who are responsible for the various elements of standing order 213A were left in a position where there was no clear time line. I am introducing this simply to provide clarity in respect of the time line in which the government chooses to claim privilege or not over a certain document. I see it simply as a further clarification of the procedure around this standing order.

MRS DUNNE (Ginninderra) (10.27): The Canberra Liberals will be supporting the Speaker's amendment. This is an important tweaking. In the existing case, which was the first time that we have used the standing order, we were left in the situation where there is no clear time line. Without a time line it leaves people open to the criticism that they are dragging their feet on an issue. This is an important improvement which will ensure that, when we have recourse to using this standing order, it will be dealt with expeditiously.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.27): The government will also be supporting this amendment. It is important to note that the time taken to deal with the first exercise of a call for a document under this new standing order was due to the fact that essentially what was occurring with the first exercise of the provisions of this standing order was the establishment of a precedent that will guide future decision making around calls for such documents under this standing order. The government wanted to make sure that it had a clear and detailed position based on some informed legal advice to allow it to make the claim of privilege that it has, which is now subject to arbitration by the independent arbiter.

That is the reason why the government took a longer period of time than would otherwise have been anticipated to respond to the call for the document. But it was necessary, to make sure that an informed position was put to the arbiter by the government on claims for privilege and that the position was robustly put, in a way that would serve for future claims may they be required. That is the reason for the delay. The government has always been happy to submit to this process, provided that the claim is able to be made in an informed way.

I should, however, foreshadow that, whilst the government is supportive of this amendment, we do believe that there may be a need for further amendment to this standing order. I would like to foreshadow to members that the government will be giving contemplation to moving, potentially at the next sitting, a further amendment to this standing order—an amendment to provide that, where a member objects to a claim of privilege, they are required to give reasons for that objection.

At the moment, the government is required to give reasons for a claim of privilege, but where a member objects to that claim and effectively triggers the referral to an independent arbiter, the member is not required to give any reasons for the objection. We think that the reasons for the member's objection should equally be provided to the independent arbiter so that the arbiter can look at the issues in question in terms of the claim and also look at the issues that the member objecting has for their objection. At the moment there is no requirement for reasons to be given by the member objecting, and we think that potentially there should be. But that is a matter for another day and potentially another debate. The government will be supporting the amendment.

MR RATTENBURY (Molonglo) (10.30), in reply: I thank members for their support. I should have said this in my earlier comments but in response to Mr Corbell I would

like to make clear that, in moving this motion, I do not seek to reflect on the government for taking the time they took to make the decision on the first example of this. I think it was appropriate that the government took the time to consider that. My purpose in moving this is that, in going through this process, we realised there was uncertainty. I simply seek to do this for future reference, rather than make any reflection on the government's process on the previous occasion. I thank members for their support.

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

MR RATTENBURY (Molonglo) (10.31): I move:

That the following amendments be made to the standing and temporary orders of the Assembly:

(1) Standing order 30: Omit "owners", substitute "custodians".

(2) Omit standing order 74(b), substitute:

"74 (b) The Speaker shall fix a later hour for the resumption of debate on any matters under discussion and not disposed of at the time of interruption."

(3) Insert proposed new standing order 152A:

"Removal of private Members' business orders of the day from the Notice Paper

152A After notifying the Member in charge, the Clerk shall remove from the Notice Paper any private Members' business order of the day which has not been called on for eight sitting weeks, excluding bills."

(4) Omit standing order 191, substitute:

"191 (a) Under the authority of the Speaker, the Clerk may make the following formal amendments to a bill passed by the Assembly before the bill is presented to the Speaker to request notification:

(i) amendments to correct clerical, grammatical or typographical errors;

(ii) amendments consequential on the passage of the bill, including:

(A) amendments necessary or desirable to the title, long title or method of citation;

(B) amendments to correct the citation of an Act;

(C) renumbering of provisions and updating of cross-references.

(b) The Speaker must advise the Assembly when the amendments are made."

This motion includes a small omnibus of what I consider minor and technical changes to the standing orders. These have all been discussed in the administration and procedure committee over a period of some weeks now and consultation has been undertaken with all the parties. These are largely of a nature to simply clarify some matters in the standing orders. I will, for the purpose of *Hansard*, speak briefly to each of them.

The first is to omit the term “owners” from the Speaker’s acknowledgement of the traditional inhabitants of this area and insert the word “custodians”. This is based on advice we have received from the Office of Multicultural Affairs who did advise that a better term would be “custodians”. So we are moving to amend that standing order.

The second matter relates to clarifying what amendments can be made by the Clerk. There was some uncertainty after an amendment to standing orders completed in March 2008 and, on advice of the Office of Parliamentary Counsel, there are amendments proposed here which will simply ensure that there is absolute clarity that, when the Clerk makes changes to a piece of legislation or a bill that has been passed, the Clerk has the correct remit and authority to make those minor changes, such as correcting the numbers of sections, correcting small errors in the title and those sorts of matters.

The issue with standing order 74 relates to the status of items of business adjourned prior to question time. Again, there was some ambiguity in the existing standing order and we simply seek to remove that ambiguity in the proposed change to standing order 74.

Finally, in regard to standing order 125A, the removal of private members’ business orders of the day from the notice paper, this amendment simply seeks to put a time limit on how long an item will remain on the notice paper so that over the course of time we do not end up with an extremely long list and we have more of a current list. By keeping a current list going over a period of time it will also cut down on the number of pages that need to be printed. Members will be given notification before an item is removed—and I think that is important—so that, if members want to have an item retained on the paper, they have an opportunity to reintroduce it if they so wish.

Those are the purposes of the standing order changes.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.34): The government will be supporting these amendments. As Mr Rattenbury has indicated, they are amendments which provide for clarification of a range of matters in terms of the operation of the existing standing orders.

We acknowledge the advice Mr Rattenbury is providing in relation to reference to the traditional inhabitants as custodians rather than owners. And that is supported, based on this advice. In relation to the matters concerning removal of private members’ business, the government notes that this is the practice to date in the Assembly and this allows for, I guess, confirmation of that practice, which has been in place for

some time. Similarly, the changes in relation to the amendment of bills after they have been presented to the Speaker in relation to clerical, grammatical or typographical errors or amendments consequential on the passage of the bill are supported by the government.

MRS DUNNE (Ginninderra) (10.35): The Canberra Liberals will be supporting these amendments to the standing orders. They have been discussed at length in the admin and procedure committee and they do give us an opportunity to have a better-functioning Assembly and more clarity in the way that we do things.

There was a moment when the Canberra Liberals had some pause about the removal of private members' business from the notice paper after eight weeks but the fact that bills are now excluded removes our concerns. I draw to your attention, for instance, that Mr Seselja in December last year introduced a greenhouse gas targets bill which is subject to an inquiry. That bill has not been referred to the inquiry and it would be inappropriate for it to be dealt with until that inquiry has been completed. That is an example of where it is sometimes appropriate for a bill to sit on the notice paper for some time before being dealt with. That problem having been averted, I think that we welcome the other changes and we will be supporting them.

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

Standing Committee on Justice and Community Safety Reference

MRS DUNNE (Ginninderra) (10.37): I move:

That this Assembly refers the Freedom of Information Act 1989 (FOI Act) to the Standing Committee on Justice and Community Safety for inquiry and report to the Assembly under the following terms of reference:

- (1) The purposes and principles of freedom of information and the development of thinking on access to information since the introduction of the FOI Act.
- (2) Whether the FOI Act satisfies those purposes and principles as well as current thinking, in particular regarding the:
 - (a) objects of the FOI Act;
 - (b) appropriateness of provisions exempting classes of documents from the Act;
 - (c) exemption provisions in Part 4 of the FOI Act;
 - (d) effectiveness of processes under the FOI Act (including application and review processes) and ways in which those processes can be streamlined and made more efficient and user-friendly; and
 - (e) timeliness and costs of the provision of freedom of information in the ACT.
- (3) Ways to improve and modernise freedom of information, including:

- (a) relevant existing and proposed Commonwealth, State and Territory laws and practices;
 - (b) other recent reviews of freedom of information legislation, nationally and internationally;
 - (c) the operation of the freedom of information regime in an evolving technological environment;
 - (d) specific issues relating to access by individuals to personal information, including the interaction between freedom of information laws and the protection of privacy interests; and
 - (e) the interaction of the FOI Act with other mechanisms for accessing information held by government.
- (4) Any other relevant matter.

These terms of reference and this course of action were foreshadowed when we debated both the Canberra Liberals' and the government's amendments to the Freedom of Information Act a couple of sitting weeks ago and these terms of reference have been on the notice paper essentially since then for consultation and for people to make comments on them.

I will be perfectly frank. The terms of reference are not necessarily an original piece of work and draw fairly substantially on the Queensland government's terms of reference in their review of the Freedom of Information Act. They were comprehensive and they produced quite a good and thorough report so that I thought, rather than reinvent the wheel, we should model ourselves on a tried and true model.

Since the Solomon inquiry in Queensland, there have been substantial other developments at the federal level and I note that the attorney has circulated amendments which draw more fully on the Solomon inquiry terms of reference than I had done. I tried to keep them streamlined but the attorney proposes to add a substantial amount to the terms of reference by his amendments. While I do not think they necessarily add a great deal, they certainly do not detract and the Canberra Liberals will be happy to incorporate his amendments into our proposal for reference to the justice and community safety committee. It makes the terms of reference quite long and a bit daunting in their volume.

I actually draw attention to proposed new paragraph (3)(h) which I think is of particular utility. It refers to:

law and practice in other jurisdictions where government held information including cabinet documents are more readily available.

That is actually a very useful contribution to the discussion because I think, when the Freedom of Information Act was first enacted federally in 1984 and here in 1989, there was a different regime and a different approach in place in relation to access to documents. After nearly 30 years of practice in freedom of information in Australia,

I think that it is useful to look at other more open approaches in other jurisdictions and I think that that term of reference is particularly useful in that regard.

I understand that the Speaker has amendments as well, which we have discussed and are happy to support.

Generally speaking, I think that it has been the belief of the Canberra Liberals that thorough-going change in the Freedom of Information Act is long overdue. It has been notionally on the agenda of the Labor Party in the ACT since 2001 but nothing has happened with it. I think that this is an important step, a step being taken by the Canberra Liberals, to make sure that we do actually have a thorough reform of the Freedom of Information Act. I am happy to sponsor this and I look forward to the support of the Assembly.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.41), by leave: I move:

(1) insert new paragraph (1A):

“(1A) The Committee shall have regard to the following:

- (a) that access to information is an essential right of every person. Under the Territory’s *Human Rights Act 2004*, freedom to seek, receive and impart information and ideas is part of the right of freedom of expression;
- (b) that access to government information is fundamental to openness, transparency and accountability in government, but that disclosure of particular information may have a prejudicial effect on private or public interests;
- (c) that the *Freedom of Information Act 1989* (the Act) seeks to achieve a balance between these competing interests. However, the FOI Act is now 20 years old and there have been significant changes in that time in the way Government creates, holds and stores information. It is timely to review the Act and its operation;
- (d) that the Act is modelled on the Commonwealth *Freedom of Information Act 1982*, which is currently under review and reform by the Commonwealth Government. To consider the implications of changes in the Commonwealth on the Territory’s FOI regime;
- (e) that open and transparent government is the goal of freedom of information legislation. That it is timely to reassess this goal by seeking to improve access to government documents and reduce the time and costs involved in accessing government information; and
- (f) that considerable work has been undertaken by the Queensland FOI Independent Review Panel which is of potential applicability to ACT legislation;”.

(2) Renumber existing paragraph “(1)” as paragraph “(2)”.

- (3) Insert the following words at the beginning of existing paragraph (1): “The Committee shall examine”.
- (4) Renumber existing paragraph “(2)” as paragraph “(3)”.
- (5) Insert the following words at the beginning of existing paragraph (2): “The committee shall examine”.
- (6) In existing paragraph (2), omit the words “regarding the”, substitute: “having regard to the”.
- (7) Omit existing subparagraph (2)(e), substitute:
 - “(e) timeliness and costs of the provision of freedom of information in the ACT having regard to the need to achieve a balance between facilitating legitimate and timely access to government documents and ensuring proper and efficient government administration, in particular having regard to:
 - (i) the appropriateness of the existing fees regime;
 - (ii) the appropriateness and efficacy of current time limit provisions contained in the Act; and
 - (iii) dealing with voluminous and/or vexatious requests.”.
- (8) Renumber existing paragraph “(3)” as paragraph “(4)”.
- (9) In existing paragraph (3), omit the words “Ways to improve and modernise freedom of information, including”, substitute: “In identifying ways to improve and modernise the ACT’s Freedom of Information Act, the Committee shall consider:”.
- (10) In existing paragraph (3), add :
 - “(f) balancing the public interest in access to information with the requirement for confidentiality for deliberative processes for Ministers;
 - (g) balancing the public interest in access to information with any requirement for confidentiality for other decision makers; and
 - (h) law and practice in other jurisdictions where government held information including cabinet documents are more readily available”.
- (11) Renumber existing paragraph “(4)” as “(5)”.

The government will be supporting the proposed referral to the committee, with the amendments I have moved. These amendments seek to give greater completeness to the context in which this inquiry should occur.

The terms of reference proposed by Mrs Dunne in her original motion are essentially drawn from the terms of reference of the inquiry established by the Queensland government and commonly known as the Solomon review. The Solomon review

provided, in the government's perspective, a balanced and rounded view of the better provision of information under an FOI regime but also had regard to the interaction between the need to provide information—indeed, the right to make information available to citizens—and the ongoing functioning of the executive government and the level of confidentiality that sometimes tracks to the deliberations of the executive government. Solomon understood broadly the interplay that exists between these two often competing requirements of FOI legislation, and the government's amendments are intended to try to equally place this inquiry in that context.

Speaking to my amendments specifically, first of all I am proposing that a range of, if you like, elements of the operation of freedom of information legislation should be placed into the terms of reference as a precursor and, if you like, a setting of the context in which the inquiry should take place. Those are principles such as recognising that the territory's Human Rights Act does provide for the protection of an essential right to seek, receive and impart information; that it is essentially part of the right of freedom of expression; that the access to government information is fundamental to openness, transparency and accountability; that the disclosure can have prejudicial effects on private or public interests in some circumstances; that the Freedom of Information Act has to achieve a balance between these competing interests; and that it is timely to review the act, given it has been 20 years since it was first brought into effect in the territory.

It goes on also to remind the committee that, in its deliberations, it should be aware of the fact that our act is modelled on the commonwealth's Freedom of Information Act and that it is important to consider changes to the commonwealth regime in the context of potential reforms to our act.

Mrs Dunne: Duh, Simon.

MR CORBELL: I think that is a truly insightful and helpful contribution from Mrs Dunne. If only we could say that on all of the occasions when we think it is warranted in this place, particularly in relation to comments from the opposition. But I will not respond further to the interjection.

The government also believes it is appropriate that the committee has regard to the work of the Queensland FOI independent review panel, and that is effectively the work of the Solomon review. Those are all reasonable and, I think, important matters that should be provided to the committee to provide the context in which the committee undertakes this quite large and detailed inquiry.

Further, there are a number of changes to the actual detailed terms of reference. First of all, the government believes it is appropriate for the committee to have particular regard to issues on achieving the balance between providing information and the costs of doing so and often the impact that very large-scale FOI requests can have on the general administration of the territory.

In small government agencies such as those that we have in the ACT, it is often the case that large and sweeping FOI reforms can take up the work of a number of officers, often to the detriment of the ongoing policy and administrative work of the

government. There are issues on recovering costs in those circumstances, which should be appropriately considered, and equally where there are vexatious requests. There is a requirement for that to also be had account of in determining how the FOI Act should operate in future.

Finally, as Mrs Dunne mentioned, the government is proposing an additional subparagraph in the terms of reference that asks the committee to look at issues on the release of cabinet documents and whether or not there are improvements in practice that can be brought into effect to provide for the more ready access to a range of cabinet documents—not all cabinet documents. Obviously there are some documents that necessarily need to retain their confidentiality to protect the deliberations and the effective workings of the cabinet and cabinet confidentiality and solidarity.

There is, nevertheless, an argument, I think, to be explored as to whether there are some cabinet documents that should be subject to more general or easy release or access. There are developments in other jurisdictions, particularly in the United Kingdom, that come to mind that are worthy, I think, of further consideration.

I thank Mrs Dunne for her indication that she would be supporting these amendments, notwithstanding her earlier comment, and I commend the amendments to members.

MR RATTENBURY (Molonglo) (10.48): I rise today to welcome the terms of reference put on the table by Mrs Dunne. I think that it is a good initiative. Given the age of the freedom of information law, the various innovations that are going on in other states and at the commonwealth level, and simply the innovations that have taken place in society generally since the introduction of the act, it is timely to have a comprehensive and considered review of the act as a whole.

I would like to flag that the Greens will be supporting Mr Corbell's amendments. They add depth to the terms of reference and enable us to look at the full range of issues around the Freedom of Information Act. I note that when we passed some changes to the Freedom of Information Act in the Assembly recently we flagged that we would be taking a broader look at the Freedom of Information Act. Again, I think it is valuable, having already made some changes, to look at the overall balance of the act. I very much look forward to this inquiry.

I wish to flag that I will be seeking leave to move the amendments circulated in my name. The purpose of the amendments—and they have been discussed with fellow members in this place—is twofold. One seeks to insert new subparagraphs (2)(a) and (2)(b) by putting into the inquiry's consideration perhaps the more progressive elements of freedom of information legislation that are being considered in other places where, by taking advantage of the pervasiveness of the internet, documents can be made more freely available and can be made available by default rather than necessarily having to be sought. It is valuable to look at what is happening in other countries, whether their legislation is working well and whether it is suitable for a jurisdiction such as the ACT.

I wish to speak briefly to my proposed new paragraph (4)(i). That is where we look at the benefits in terms of the appointment of an independent information commissioner

for the ACT, including whether such a commissioner should report directly to the Assembly. This is an issue that the Greens raised during the election campaign. Again, we think this may be a mechanism by which we can improve the conduct of the Freedom of Information Act and a mechanism for dealing with disputes when they arise. It may be a simpler and less expensive mechanism which avoids the need for the matter to go to court. I thank members in anticipation for their consideration of these amendments.

Amendment agreed to.

Amendments (by **Mr Rattenbury**), by leave, proposed:

- (1) Insert the following new subparagraphs (2)(a) and (2)(b) after renumbered paragraph (2):

“(a) bearing in mind any privacy or confidentiality concerns, the extent to which decision documents and other documents released under FOI should be made widely publicly available, including in electronic form; and

(b) the extent to which the default status of all Government documents should be that they are publicly accessible, unless there are valid and compelling reasons why they should remain exempt from release or inspection.”.

- (2) Add new subparagraph (i) to renumbered paragraph (4):

“(i) the benefits and terms of appointment of an independent Information Commissioner for the ACT, including whether such a commissioner should report directly to the Assembly.”.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.52): I thought it would be appropriate to comment on Mr Rattenbury’s proposed new paragraph: “The benefits and terms of appointment of an information commissioner for the ACT, including whether such a commissioner should report directly to the Assembly.”

This term of reference, along with, indeed, the establishment of this inquiry overall, fulfils another requirement of the parliamentary agreement between the Labor government and the Greens to establish, or support the establishment of, such inquiries. I note that the parliamentary agreement proposed that potentially there could be two inquiries—one into the Freedom of Information Act and a separate one into the potential for the establishment of an independent information commissioner. I note that we are winding those two matters together. I think that is sensible and the government will support Mr Rattenbury’s amendments.

Amendments agreed to.

Motion, as amended, agreed to.

Education, Training and Youth Affairs—Standing Committee References

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (10.54): I move:

That this Assembly refers the needs of ACT students with a disability to the Standing Committee on Education, Training and Youth Affairs for inquiry and report to the Assembly by 10 December 2009, under the following terms of reference:

the Committee will review the existing educational services for students with a disability and propose recommendations, with particular reference to:

- (1) community and parental experiences, satisfaction and attitudes;
- (2) the Student Centred Appraisal of Need (SCAN) process and the model of allocation of resources to support students with a disability;
- (3) provision of therapy services to support educational needs of students;
- (4) post-school options, transitions and later year pathways for students with a disability;
- (5) future special education provision for students with a disability, with a focus on:
 - (a) geographic and demographic needs; and
 - (b) the range of educational settings; and
- (6) the findings of the Special Education Review, currently being conducted by Dr Shaddock and his review team into leading international and Australian practice in curriculum and pedagogy for students with disabilities.

In the spirit of moving on items in the parliamentary agreement between Labor and the Greens it is my pleasure to move this motion that the Standing Committee on Education, Training and Youth Affairs conduct an inquiry into the educational services provision for students with a disability. As members can see from the proposed terms of reference for the inquiry, the outcome will include a review of existing services. It will also make recommendations about factors influencing the provision of special education in the ACT. Community and parent satisfaction, therapy services, post-school options, special education settings and the findings of the government's current review into special education will all be examined. Madam Deputy Speaker, the government looks forward to the inquiry. I particularly look forward to providing the government's submission and presenting to the committee the quality programs and initiatives that we are currently undertaking in schools for our students with a disability.

Members will notice the final term of reference for the inquiry is consideration of the findings of the special education review. I look forward to the results of this review, and to the standing committee's inquiry into its findings. I look forward to it because I am confident that the findings will show that we cater well for the needs of students with a disability in the ACT. But I am sure we can do better, and we have engaged a team of experts to tell us how. The last major review of special education services in ACT public schools was conducted by Dr Andrews and was completed in 1996. The Andrews study was undertaken with an expectation for change, and change is exactly what happened.

Since the Andrews report was released, we have developed a process that takes account of the individual needs of each student with a disability. We have seen a greater emphasis and focus on support and professional learning for teachers in mainstream classes to enhance their knowledge about teaching students with a disability. We have introduced the disability standards for education that have raised the level of awareness of the rights of students with a disability to access quality education. We have seen significant advances in the diagnosis and early detection of students with a disability. And we have seen a significant increase in the number of students with autism and high and complex needs. So it is timely to have a fresh look at what we are doing and how we are doing it. It is timely to look at the ways of making the ACT's special education programs even better.

It being 45 minutes after the commencement of Assembly business, the debate was interrupted in accordance with standing order 77. Ordered that the time allotted to Assembly business be extended by 30 minutes.

MR BARR: In 2007-08, the ACT government invested \$42.7 million into special education. A further \$20 million was invested in early intervention programs for children aged from about two to the age of school entry. We need to make sure that students are getting the best possible outcomes from this substantial investment. The cost of educating a student with a disability in ACT public schools is high in comparison with other jurisdictions, but cost is not the issue. We want to ensure the dollars are being spent to achieve the best possible outcomes for students with a disability.

The special education review I recently announced to be conducted by Professor Tony Shaddock is designed to do just that. The object of the review is straightforward. It is to review leading practice in curriculum and pedagogy for the range of students with disabilities in ACT public schools. In a nutshell, we are reviewing what we teach and how we teach it. The review will identify future options for the provision of educational services to students with disabilities within ACT public schools.

Its terms of reference are different from those that I propose for the standing committee inquiry to adopt. The Shaddock review aims to research leading practice, both nationally and internationally, in curriculum and pedagogy for the range of students with disabilities in ACT public schools, including details of how these practices improve student outcomes, and to provide advice on future options for the provision of special education services in ACT public schools within the existing budget provision.

We are very fortunate indeed that Professor Shaddock is leading the team to undertake the review. Professor Shaddock is a leading expert in the provision of special education and was on the committee that steered the review in 1996. His research includes studies of teachers' responses to the challenging behaviour of students with special needs and mainstream options for students with autism and other disabilities. Professor Shaddock has high credentials. He has published over 100 books, chapters and articles and is a frequent contributor to national and international journals and conferences.

Professor Shaddock has assembled a distinguished team, which includes Dr Loretta Giorcelli, who works as a specialist consultant in special education with schools and parent groups; Julie Hook, who has over 26 years experience working in the special education field in a range of roles; Nancy Macdonald, a previous principal of an ACT special school who was recognised for her service to special education in the ACT, receiving the Commissioner for Public Administration Award; and Michael Arthur-Kelly, who has conducted applied research in a range of areas in disability and special education. I think we can confidently state that, with a distinguished team like this, the outcome of the Shaddock review will be a quality product that will provide the committee's inquiry with well-informed and researched findings.

The number of students with a disability in ACT public schools is increasing and the needs of some of these students are becoming greater. To put this in perspective, in February 2004 there were 1,606 students with a disability accessing special education programs and services. In February 2009, there were 1,784. So in just five years there has been an 11 per cent increase. This is a staggering increase. Why is this happening? Two factors seem to be behind this. Improved medical intervention has resulted in increased survival rates of babies who were born early with complex issues, and better and earlier diagnosis has meant children with autism are being identified. As such, it is timely we re-examine what we are doing to support these children and to ensure they are given every opportunity to learn and to become valued members of our community. We cannot rest on our laurels. We aspire to provide the best for all students and in particular students with a disability. There is significant research being done. We have a better understanding of brain development, how we learn and how we can best support children whose disability might affect their learning.

For this reason we have assembled a team of experts who will look at what we are doing in the context of recent research. They will be out—in fact they are already out—talking to parents, teachers and other experts. There is ample opportunity for the community to be involved. I anticipate a discussion paper will be available at the end of this month to provide a stimulus to the comprehensive consultation period. The final report is due at the end of July and there will be a further consultation period following the submission of the final report.

The Shaddock review is about what and how we teach. The terms of reference I propose for the committee go further than this. We need to look at aspects such as the student centred appraisal of need, post-school options, therapy services, community expectations and demographics that impact on the delivery of services and programs. The Shaddock review, along with the findings of the committee inquiry, will provide

valuable information for the ACT government to move forward in the area of special education.

I believe the ACT public school system provides quality education for students with a disability, but I restate that we cannot just sit back and say this is as good as it gets. We must always strive to do better. I commend the motion to the Assembly.

Debate (on motion by **Ms Bresnan**) adjourned to the next sitting.

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (11.03): I move:

That this Assembly refers the performance of ACT school students in national and international assessments and whether any ‘gaps’ exist in the achievement of ACT students, to the Standing Committee on Education, Training and Youth Affairs for inquiry and report to the Assembly by 19 November 2009, under the following terms of reference:

- (1) the Committee will investigate the performance of ACT school students in national and international assessments, identify whether any “gaps” exist in the performance of ACT students compared with the highest performing jurisdiction or country, and make recommendations as to how to close those gaps and ensure that the ACT is the top performing jurisdiction in these assessments.
- (2) the Committee will investigate this issue and make recommendations with particular reference to:
 - (a) a longitudinal analysis of the ACT’s results in national and international assessments such as ACT Assessment Plan (ACTAP) (and 2008 National Assessment Program (NAPLAN)), other national assessments, Programme for International Student Assessment (PISA) and Trends in International Maths and Science Studies (TIMSS), with a particular focus on the performance of Indigenous students, students in the top achievement band, students from disadvantaged backgrounds, and students with English as a second language (ESL), in comparison to similar students in other jurisdictions and countries, where possible;
 - (b) best practice from national and international studies on ways to raise the performance of all students, with particular reference to literacy and numeracy, curriculum, assessment and teacher quality;
 - (c) the effectiveness and efficiency of current government programs and strategies to support literacy and numeracy achievement; and
 - (d) strategies for informing and engaging parents in support of their children’s literacy and numeracy development.

This referral fulfils a commitment made in our parliamentary agreement with the Greens to hold an inquiry into programs designed to close the achievement gap and it demonstrates the government’s renewed commitment to hear the views of the

community, in this case through the Assembly's Standing Committee on Education, Training and Youth Affairs.

Strong literacy and numeracy skills lay the foundation for all students to succeed at school and in life. It is essential that all ACT schools give every student, from preschool to year 12, the best possible chance to excel. The ACT government is committed to ensuring that schools prioritise the teaching of these important skills and to bridging the gap between our highest and lowest achievers.

All teachers are teachers of literacy and numeracy. Equally, all students, regardless of their background, must be supported to achieve higher standards in literacy and numeracy as they move through school. The ACT's public schools already produce amongst the best results for literacy and numeracy in the country. In the program for international student assessment, PISA, ACT students are performing consistently above the Australian average. ACT students achieved the highest average scores in Australia in reading, scientific literacy and mathematical literacy across the PISA assessments in 2000, 2003 and 2006. ACT students are also performing better than OECD students. In 2006, around 70 per cent of ACT students achieved above the OECD average in each of the three literacy domains compared to the national average of around 62 per cent. Our students also performed equal to the top performing country, Finland, in scientific literacy. In mathematical literacy they performed similarly to the highest performing country, Chinese Taipei.

The Australian Council for Educational Research was commissioned to examine the literacy performance of ACT students against Australian and OECD standards over the past three PISA assessments of 2000, 2003 and 2006. The report showed that the performance of ACT students with a high socioeconomic index is the highest of all jurisdictions. It also showed that ACT students with a low socioeconomic index performed well against their equivalent Australian peers. However, the relative performance of ACT students represents a gap greater than in other jurisdictions. The report also found that, between PISA 2000 and PISA 2006, reading literacy performance had declined amongst students at the higher end of the achievement scale.

The international trends in mathematics and science study, TIMSS, shows that ACT performance in relation to other Australian jurisdictions is again better than average, although it is variable. In some areas the ACT is leading the nation, while in others we are placed third or fourth, which is generally in the same range as New South Wales and Victoria. Our relative performance is higher in year 8 than in year 4. Our year 4 students achieved the best average score in Australia in mathematics and we were the only jurisdiction to achieve significantly above the international average. In year 4 science, we achieved above the international average but were placed fourth-highest nationally. In year 8 our students achieved slightly above the Australian average in mathematics, placing the ACT in the middle band of international achievement. For science, ACT year 4 students had the highest average score across all jurisdictions, significantly higher than the national result and equivalent to eighth place of 49 nations.

In Australia's first literacy and numeracy tests, NAPLAN 2008, the ACT had the highest or equal highest percentage of students performing at or above the national

minimum across reading, numeracy, writing, grammar and punctuation for years 3, 5, 7 and 9 and in spelling for years 7 and 9. Our students had the highest or equal highest mean scores across reading and numeracy for years 3, 5, 7 and 9, grammar and punctuation for years 5, 7 and 9, spelling for years 7 and 9, and writing for year 3. In spelling, while the mean score performance of students in years 3 and 5 was similar to the national results, it was below those achieved by New South Wales and Victoria. Our mean score in year 3 writing was higher than the national mean but again it was behind New South Wales and Victoria. Whilst our year 5, 7 and 9 students performed similar to the national mean, our scores were lower than those of Victoria, the highest performing state.

NAPLAN mean scores for Indigenous students in Australia and in the ACT are significantly below those of non-Indigenous students across all levels and all assessments. Nevertheless, a higher proportion of ACT Indigenous students achieved above the national minimum standard in all tests and all year levels when compared to the national results. In the ACT the greatest difference in mean scores of Indigenous and non-Indigenous students occurred in year 3 in grammar and punctuation, spelling and reading, whilst the smallest difference across each of those domains was in year 7.

When comparing the results of students with a language background other than English, LBOTE students, with those of their non-LBOTE peers, an analysis of mean NAPLAN scores reveals inconsistent patterns. While LBOTE students generally achieved higher mean scores in numeracy and spelling, there was a higher percentage of non-LBOTE students achieving at or above the national minimum standard in reading, grammar and punctuation. Compared to other jurisdictions, more ACT LBOTE students achieved results in the top two performance bands in years 7 and 9 in reading, grammar and punctuation. However, in spelling, writing and numeracy across years 3 and 5, New South Wales and Victoria had a greater percentage of LBOTE students performing in the top two bands.

Whilst ACT public school results are amongst the best in Australia, it is clear that improvements can be made. We must improve the literacy and numeracy outcomes for all Indigenous students; improve writing, spelling and numeracy in the primary and middle years; and maximise the achievements of our high performing students. Targeting these identified areas will support our goal of improving literacy and numeracy outcomes for all students.

Next month I will launch the new five-year literacy and numeracy strategy for public schools, to help ensure we continue our strong performance into the future. While many students perform well, this new strategy will ensure we prioritise and target support to those schools most in need and those students not performing to their potential. This strategy provides the direction to guide and support school leaders and teachers in improving the literacy and numeracy outcomes of all of their students. I look forward to sharing the details of this new strategy with the committee as part of this inquiry.

The government is committed to ensuring that the ACT remains a national leader in literacy and numeracy and, more importantly, to ensuring that each and every student achieves their potential. I commend this motion to the Assembly.

Debate (on motion by **Ms Bresnan**) adjourned to the next sitting.

Roads and Public Places Amendment Bill 2009

Debate resumed from 26 March 2009, on motion by **Mr Stanhope**:

That this bill be agreed to in principle.

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

That the debate be adjourned.

The Assembly voted—

Ayes 10

Noes 7

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

Question so resolved in the affirmative.

Debate adjourned to the next sitting.

Housing—social

MR HARGREAVES (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (11.16): I move:

That this Assembly:

- (1) notes the Australian government's \$102 million contribution to social housing in the ACT;
- (2) notes that the funds from the stimulus package will supplement the ACT government's significant contribution to addressing homelessness, affordable housing and innovations in the public and community housing sectors;
- (3) supports the ACT government's commitment to a multi-partisan way forward commencing with a consultative forum relating to social housing;
- (4) acknowledges the benefits of the social housing component of the Nation Building and Jobs Plan on the ACT economy; and
- (5) supports the Australian Government's Nation Building and Jobs Plan timelines as they relate to the ACT.

Mrs Dunne: On a point of order, Madam Deputy Speaker: could I seek your ruling, if I may—I raised this with the Clerk earlier—on the similarity in the terms of this motion and the motion that was finally passed on private members' day last week, on 25 March. Could you rule whether this is substantially the same and therefore in order.

MADAM DEPUTY SPEAKER: There is sufficient difference between the motion debated earlier and this one, Mrs Dunne, for it to go ahead.

Mrs Dunne: Okay, thank you.

MADAM DEPUTY SPEAKER: Thank you, Mr Hargreaves.

MR HARGREAVES: Thanks very much, Madam Deputy Speaker. As members are aware, the housing portfolio responsibility is one that I continue from the term of the last government. During my time as housing minister, I have been dedicated to improving housing services and have been able to implement substantial reforms following on from the work done by Mr Bill Wood, a former minister for housing in this place. The result is a housing system that is now more targeted and responsive to the various needs of people accessing services.

In September, I outlined the nature of these reforms to the Assembly. I talked of the housing continuum—the journey from homelessness to home ownership, and our objective to evolve a system that can provide support in crisis and adequate ongoing housing options for all, whatever their circumstances. As the Prime Minister said to us at the time of the announcement of the stimulus package, this is all about homelessness.

The commitment by the Australian government to provide almost \$103 million to bolster and revitalise the ACT's social housing stock represents a significant capital injection into the ACT economy which will have a significant impact on homelessness in the ACT and avert job losses in the construction industry. It also represents a further opportunity to build on the reform of the housing continuum which I have overseen as minister and am passionate about, and an opportunity to build on this government's commitment to public housing.

It is often lost in the commentary about the Australian government's funding for social housing that this government has been injecting substantial amounts of money into public housing for some years now. In the last five years of the Commonwealth-State Housing Agreement, we were one of the few jurisdictions to grow its public housing stock.

I would now like briefly to refer to ACT public housing and its capital provision, to show the way in which we have made this achievement. One of our first acts when forming government was to provide \$33.2 million from the home loan fund for social housing in December 2003. This set the scene for our reform agenda and it set the pace for our substantial capital injections into social housing. The 2008-09 budget delivered the final tranche of the three-year \$30 million allocation to public housing announced in 2006-07 to increase public housing stock.

In its first year, this allocation enabled Housing ACT to purchase 25 properties for Canberra families. A further 27 properties are expected to be purchased from this funding and, in addition, we allocated \$4.3 million from the home loan portfolio to acquire 14 two-bedroom properties in 2007-08. In 2008-09, Housing ACT's capital program involves \$82.903 million, which will provide an estimated 64 constructed properties, 145 purchased homes and approximately \$9 million in upgrades and improvements.

As part of our commitment to environmental sustainability, the government has committed to improve energy and water efficiency in public housing. Twenty million dollars will be spent over 10 years on energy efficiency measures in homes and \$500,000 has been committed over two years for water efficiency improvements. Together, this represents the most significant boost to public housing since self-government, and we are committed to maintaining this momentum.

But now, in addition to this commitment by a territory Labor government, we have the historic initiative by the commonwealth government to support jobs and invest in future long-term economic growth for the nation. This is a defining moment for social housing nationally, as the Rudd Labor government begins to address the years of neglect for housing overseen by the Howard Liberal government.

The ACT's share of the funds for social housing will be in the order of \$103 million; \$96.5 million of which will provide for the construction of around 290 homes over two years, with the balance of \$6.5 million being used for the maintenance of around 243 properties. This will allow Housing ACT to revitalise its public housing portfolio and continue to ensure that it remains able to meet the needs of applicants and tenants. For example, Housing ACT will be able to construct properties in high demand areas. The flow-on effect will be to make more suitable properties available to some tenants who may choose properties with fewer bedrooms, which better suit their needs. This will free up homes which can then be allocated to applicants who need larger dwellings.

The ACT is also well placed to utilise the maintenance dollars to be provided by the commonwealth. As I have already mentioned, some \$6.5 million will be available which can be used for maintenance on 243 properties. As properties age and maintenance costs increase, Housing ACT is often faced with the decision to dispose of properties that require a significant amount of maintenance to be undertaken. The injection of these much needed maintenance dollars will result in the retention of properties and ultimately continue to increase property numbers.

As with the construction of new dwellings, the ACT already has maintenance works within existing maintenance contracts which can be expanded. These include upgrades to existing properties to bring them up to current housing and environmental standards, upgrading three smaller multi-unit properties as an alternative to redevelopment and the extension of some properties to better match demand.

Last week in this place, as an acknowledgement of the government's commitment to working with its partners, I made a commitment to lead a bipartisan approach to

involve community housing in delivering this historic increase in social housing. I will be bringing together key stakeholders, including members of the opposition and the crossbench, to discuss the ongoing role of community and not-for-profit housing with respect to the rollout of the stimulus package. The details of this forum are being worked out by my department and I hope to be able to brief my Assembly colleagues soon.

This funding by the Australian government will be used to deliver much improved housing services for people as they exit homelessness, in addition to specialist and intensive support services for people in crisis. Together, these agreements form a package of service responses and capital expenditure which aim to halve the rate of homelessness by 2020. Working with our partners is vital if these programs are to have a chance of working. We do not have all the resources in house.

The time frames set by the commonwealth to deliver outcomes for the stimulus package are tight. We cannot wait; we cannot dither. We have been given a strict set of guidelines, timetables and deliverables by the commonwealth from which we cannot digress. The stakes are too high. We cannot risk any more jobs, any more uncertainty and any more people being affected by the global financial crisis. We must not lose sight of this.

While the nation building and jobs plan will supply wonderful new opportunities to move forward in the area of social housing, its primary purpose is exactly what the prime minister has called it—a stimulus package. Let us be clear about this: the global financial crisis has hammered our economy, hammered job security and hammered global confidence. The stimulus package will go a long way to rectifying this at the ACT level and nothing must stand in our way or delay us. This was covered in my discussions with Ms Bresnan and Mr Coe last week, and both of them acknowledged the fact that we cannot delay in the implementation of the housing component of the stimulus package. The risk is far too great.

In discussion with Ms Bresnan's office yesterday, I was somewhat perplexed, though, that the Greens said they will move amendments to my motion regarding the use of the word "support" in paragraph (5) of this motion. I can wear this amendment, but why is there reluctance? The Greens say they "recognise" the issue in paragraph (5) but cannot "support" the paragraph. I remind the Assembly that the federal Greens leader said:

... this package is important to the nation at a time of global financial stricture. We see the potential for increased unemployment and hardship in the country and recognise that a stimulus to the economy is required.

The ACT is well placed to meet the time frames and we must have total bipartisan support, not recognition, of the issues at stake here. Housing ACT already has a number of projects being prepared which will meet the very tight time frames set by the commonwealth. These include projects that have development applications approved and land purchases for which development can be expedited.

The ACT fully supports the stimulus package proposed by the commonwealth. The significant benefits that will flow will allow the ACT to continue to focus on meeting

the needs of the most vulnerable members of our community. By supporting this motion the Greens and the Liberals have a chance to get on board and support the way forward on social housing.

Let me signal that the government will be supporting all of the amendments proposed by the Greens without demur, except for the bit where I did demur. What is significant is that we have an opportunity for all elements of the parliament to join with the executive and grab this opportunity that the Rudd government have delivered to us. This is a once-in-a-lifetime opportunity, in my view. It will probably never happen again in my lifetime, or even in my political lifetime. It is an opportunity for us to say, "When someone throws \$100 million at us and we can really do something about homelessness, we ought to grab it with both hands," All three sectors of this parliament should work together.

If we wish to make political issues, I implore the Assembly to make political capital out of another issue. Let us not make political capital out of something as horrible as homelessness. I would hope in my heart that what we share is a need to do something about it. As you would know, we look at the root causes of homelessness. When we move people out of what we see as homelessness, either because of domestic violence or because of financial circumstances, there are usually a number of other underlying issues, and we bring together a package. But the package is then delivered around a foundation, and that foundation is the bricks and mortar of a property. That often limits what we can do for homelessness in the ACT.

I have always been a big believer that the provision of bricks and mortar will not solve the homelessness issue because it does not address the issues which caused a person to become homeless in the first place. It also does not necessarily give people a long-lasting solution or series of solutions to their problems, but it does give them a sanctuary and a safe place from which they can springboard into a better life.

It is a bit of a catch-22. We cannot cure homelessness if we do not address the root cause, and we cannot address the root cause if we have not got somewhere safe for people to go. So what we are saying with respect to the stimulus package is: thank you very much. Thanks very much to Tanya Plibersek for the advocacy that she put into where the stimulus would go, so that we can address the homelessness issue for the ACT. It is not as bad as in other jurisdictions, but one homeless person is one too many in this town.

The other thing with the stimulus package is that it provides some insurance against the wave of the GFC in the construction industry. We have a very healthy construction industry and I think we can ride this crisis out. But having \$100 million that is able to be ploughed into the residential sector of the ACT in one hit is an absolutely beautiful piece of insurance.

I commend the motion to members and again indicate the government's support for the amendments to be moved by the Greens.

MS BRESNAN (Brindabella) (11.32), by leave: I move:

(1) Omit paragraph (2), substitute:

“(2) notes that the funds from the stimulus package will supplement the ACT Government’s existing actions to address homelessness, increase the supply of affordable housing and support the public and community housing sectors;”.

(2) Omit paragraph (3), substitute:

“(3) welcomes the ACT Government’s commitment to a multi-partisan way forward on social housing;”.

(3) Omit paragraph (5), substitute:

“(5) recognises the Australian Government’s Nation Building and Jobs Plan timelines as they relate to the ACT.”.

I welcome the update from the minister for housing on the \$102 million in federal funding for social housing in the ACT. I will say that Mr Hargreaves’s motion does almost mimic the motion I had passed last week. Perhaps it would have been more appropriate for the minister to make a ministerial statement providing the chamber with an update on his discussion with federal counterparts. Nonetheless, I thank the minister for bringing this motion on today, and we will be supporting it with the amendments I have circulated.

Item (1) proposes that we note the Australian government’s \$102 million contribution to social housing in the ACT. We had already passed this, with my motion that we note the Council of Australian Governments’ nation building and jobs national partnership agreement of 3 February 2009 that will provide \$102 million for new and upgraded social housing in the ACT.

Item (2) suggests that we note that the funds from the stimulus package will supplement the ACT government’s significant contribution to addressing homelessness, affordable housing and innovations in the public and community housing sectors. While it is true that this Assembly has not passed this proposal, it is slightly presumptuous of the minister to think that we would and it is a somewhat self-congratulatory statement. From 2006, we have seen the decimation of SAAP and community housing and the door of public housing closed to many vulnerable families. Affordable housing may grow via CHC but the numbers at present have not yet stacked up. Therefore, I have moved an amendment that draws it back to a more factual basis.

Item (3) calls on the chamber to support the ACT government’s commitment to a multi-partisan way forward, commencing with a consultative forum relating to social housing. We have already agreed, via my motion, that the ACT government, prior to issuing tenders for stage 2 of the project at the end of this financial year, conduct a consultative forum to provide further advice on the commissioning and construction of affordable, energy efficient, low-emission housing and initiate an ongoing process of engagement with community housing providers, key community service agencies and relevant advocacy and key representative bodies on the social housing issues, including the proposed mix of housing projects and the capacity of the

community housing sector. I am somewhat uncertain as to what the minister is proposing with his due consultative forum and am cautious as to whether it may redirect our previous agreement on the government conducting a low-emissions consultative forum and ongoing engagement with community organisations.

I know that many community organisations are very pleased with the previously agreed approach and are eagerly awaiting the government's announcement on where and when the forums will take place. I do, however, welcome the government's commitment to a multi-partisan approach and look forward to the minister's engagement with the Greens and Liberals on these issues. I also hope that there is a realisation that, by passing this motion, it does not mean that the Greens and Liberals give their support to Labor's way forward, which is not yet known. The amendments I propose welcome an approach by Labor that seeks consensus and incorporates ideas put forward by all three parties.

Item (4) is new and can be agreed to as is. The social housing component of the federal government's stimulus package will deliver many benefits to the vulnerable people of Canberra and can move the ACT government towards reaching the goal of 10 per cent of housing being public housing. This is a goal that the government has agreed to in the parliamentary agreement. There will also be great benefits in seeing a percentage of the housing delivered by community housing, as has been indicated by the federal Minister for Housing.

Finally, on point (5), the proposal was already essentially achieved by my motion and I do wonder again why the government wants us to do it again. My motion said that we recognise that the nation building and jobs plan must meet the requirements of and be delivered within the time frame set by the commonwealth. Unless the minister can give us a good reason for voting for a change of words from "recognises" to "supports" the time lines, I am inclined to vote for the phrase "recognises" a second time.

I do also want to note that, as the minister has said, we recognise what a major and significant investment in social and public housing this federal government funding represents. Having worked in mental health and with regard to consumer health issues for the last four years or so, I think I recognise quite acutely how important providing housing is to people, particularly those who are vulnerable. By making reference to the housing project for mental health, I hope that we will see this type of initiative delivered through this federal funding. And obviously, as the minister has also said and as I have said before in the chamber, we must provide those other services to people who are vulnerable, including people with mental illness in particular, that address all areas of their life because, unless we address housing and other areas, we are not going to address the core of the problem, which is the condition which they are suffering. I, like I think all, recognise what a significant investment this is.

MR COE (Ginninderra) (11.38): Like, I am sure, all people in this chamber and all people watching or listening, I think there is a strong sense of *deja vu* when you think about the motion that was moved on 25 March, last Wednesday. We discussed a very similar motion. It is almost word for word, I think, and the intent is at least very similar.

It is very disappointing that the Greens are in fact supporting the government's attempt to try to fill their agenda, to try to fill the day, with a motion which really is not very substantive when you compare it to what was moved last week. It is in stark contrast to what you might imagine from all the advertising that the government did last September and October. The government did a heap of advertising about all the programs they were doing and all the work they were doing and all the work that still had to be done. But here we are, only about four or five months into this new term, and the government has no ideas, no agenda, no plan for the future, as can be seen in our sitting days.

Again, we heard the minister, Mr Hargreaves, say that housing is above politics, that we should not be talking about housing in this place perhaps. Is that what he is suggesting? Are we not allowed to question the minister's ideas when it comes to housing? Are we not allowed to challenge the minister when it comes to housing? Are we not allowed to give alternative ideas when it comes to housing? I do not know what the minister means when he says that housing is above politics. Perhaps we should not be scrutinising Housing ACT. Perhaps we should not be saying that we should be raising the bar in the ACT. Perhaps we should not be putting political pressure on the minister to try to raise the bar.

Instead, the minister says, "No, housing is above politics". In short, "Don't question me; don't give me any hard questions. I will just keep on running with this in retirement mode. I am very much in favour of working together but let us not get in the way of challenging each other, either."

This motion has a glaring omission, not dissimilar to last week's motion, and that is the community housing sector; that is, the non-government housing providers in the ACT. The federal government recognises it, the other territory recognises it, and the states recognise it. But this government is scared of it. The government is scared to admit that Housing ACT and CHC do a better job when it comes to housing in this town than Housing ACT. The Chief Minister and the minister for housing are very scared to admit it.

We have to make sure we get the right balance between government and non-government providers. This government, as can be seen in this motion and the one moved last Wednesday, is not realising that balance. It is important to remember that Dr Jon Hall, a senior researcher at the Australian Housing and Urban Research Institute, said that the net average total overheads per dwelling for ACT public housing is \$3,356, compared to the national average for community housing which is \$1,759 per dwelling. That is 50 per cent less than Housing ACT. If that \$1,700 difference were thrown into maintenance, that would be a much better outcome for the people of Canberra in community housing.

Dr Hall also said that, when it comes to net average maintenance expenditure, ACT Public Housing spends \$2,509. Havelock Housing spends \$3,247; that is, 30 per cent more than what the ACT government spends. This government, and it seems the Greens as well, are scared to admit that community housing has a role to play in the ACT and has a role to play in this stimulus package, as recognised by the federal

government. The federal government very clearly stated that social housing was to receive the money—not just public housing but social housing, including community housing.

When the Chief Minister speaks in this debate shortly, I would ask him to clarify and inform the chamber and those listening what it was the minister took to the meeting last Friday. Last Friday, at the ministers meeting, did the minister say, “We want an exemption so that the ACT doesn’t have to give money to community housing”? Did the minister do that? If he did do it, did the federal government comply? If so, I think that is absolutely disgraceful. If all the other states and territories recognise the importance of giving money to community housing, I find it disgraceful that the ACT would see fit to go and lobby for an exemption so that they do not have to give money to the likes of Community Housing Canberra and Havelock Housing and so that they can roll all the money into Housing ACT where the money would not be spent best. I ask the Chief Minister to clarify that as a matter of urgency.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage) (11.43): Mr Speaker, we sometimes forget the extent to which this city’s history is bound up with the concept of social housing. We are the city we are because of the decisions taken around social housing at the time the commonwealth relocated federal government departments and agencies to the ACT.

While in most cities public housing has only ever been available for those who cannot afford to access appropriate housing without support, here in Canberra in those early decades public housing was the rule, rather than the exception. Of course, times have changed, but the legacy remains. We still, as a jurisdiction, have a larger proportion of public housing than any other in Australia.

These days we are acutely conscious of the need to target public housing at households, families and individuals most in need. But as a Labor government we understand deeply the importance of public housing and of other forms of social housing in meeting the needs of the diverse community. That is why, when we set about exploring initiatives to improve affordability, the action plan we came up with did not just look at helping home buyers. It did not just look at the private rental market and what could be done to boost supply and affordability there. It also looked at social housing, at how we managed and maintained our stocks of public housing, how we could better ensure that it met changing demand and how we could better support growth in community housing and other types of supported accommodation. Now, in the second phase, we are also exploring options, particularly for older Canberrans and those experiencing or at risk of homelessness.

The federal government’s historic \$42 billion package to support jobs and invest in future long-term economic growth for the nation is unprecedented and will have lasting benefit for Australia as a whole and for the ACT as the heart of the nation. It is an initiative that will build the nation and create jobs. It will establish critical infrastructure within our community and provide a buffer to the economic uncertainty facing the ACT and Australia. It also reaffirms the importance of public housing and

other forms of social housing at the federal level after the inaction and declining funding of the Howard years.

As Mr Hargreaves has reminded us, it was a proud moment during this government's first term when we earmarked \$33.2 million from the home loan fund for social housing in December 2003. This set the scene for a progressive agenda that has persisted to this day. We followed up that \$33.2 million capital injection with the release of the Canberra plan and social plan and set a standard for substantial capital injections into social housing over the subsequent years, including our \$50 million line of credit to CHC Affordable Housing to deliver affordable housing over the coming decade.

The commonwealth's stimulus package is \$6.4 billion for social housing nationally. This will allow for the construction of 20,000 new social housing dwellings within three years, primarily for people who are homeless or at risk of homelessness. Also included is funding for urgent maintenance to upgrade around 2,500 social houses. The specific objectives of the initiative are:

- to increase the supply of social housing through new construction and the refurbishment of existing stock that would otherwise be unavailable for occupancy;
- to provide increased opportunities for persons who are homeless or at risk of homelessness to gain secure long-term accommodation; and
- to stimulate the building and construction industry both through funding the additional dwellings and increasing expenditure on repairs and maintenance. This will also help stimulate businesses that supply construction materials and help to retain jobs in the industry.

I am pleased to speak to the motion in support of the commonwealth's commitment to social housing and note that it will continue the approach of the government in establishing a fair and equitable housing system. It will also enable ongoing delivery of key services and new approaches to homelessness to work with people to establish sustainable housing.

The dwellings built through the stimulus package will meet the needs of people on public housing waiting lists, including age and disability pensioners, people of Aboriginal and Torres Strait Islander descent and women with children escaping violence. In other words, they will house some of the most vulnerable in our community, which is already the focus of the government's approach to public housing. It is estimated that the new dwellings will reduce waiting times for people with high housing needs on public housing lists nationally by 50 per cent, which will allow the ACT to build on the reforms to public housing waiting lists that have already been implemented.

The package is very advantageous to the ACT. The ACT's share of the funds to be channelled into social housing will be \$103 million, \$96.5 million of which will provide for the construction of around 290 homes over two years, with the balance of

\$6.5 million being used for the maintenance of around 243 properties. This significant influx of additional properties and maintenance expenditure will provide flexibility in the management of the public housing property portfolio and ensure that we enhance our housing response to people in need.

The government has a long commitment to enhancing and improving housing outcomes for the territory, marked by significant investment in public and community housing, as well as specialist homelessness service provision. The government has not rested on its achievements but continues to work to identify and respond to emerging need.

As the Assembly will be aware, I have reconvened the affordable housing task force to look at initiatives to address homelessness and the housing options of older Canberrans. I have also asked that options to increase the supply of affordable housing for older Canberrans be explored. One way this can be achieved is to strengthen and support the community housing sector. We have already identified a growth provider of affordable housing in the ACT—CHC Affordable Housing—and are supporting its financial growth through the direct transfer of 132 units valued at \$40 million for ongoing provision of new housing units; one-off payments and transitional funding of \$250,000 per year for three years, as well as access to the \$50 million revolving line of credit that I mentioned earlier.

ACT Treasury has worked closely on CHC's financial modelling and business plan and they are contracted to achieve significant growth in affordable rental and affordable home ownership. In return for this support CHC is committed to more than doubling its size in four years and increasing its property portfolio to 1,000 properties in 10 years. Mr Speaker, I think you will agree that this is an ambitious growth target. The work will ensure that there are a range of housing options and choices for Canberrans, supplemented by the additional growth in social housing which will be delivered through the stimulus package.

The commonwealth has established very tight time frames for delivering the housing outcomes required under the nation building and jobs plan. That is important because of the need to act now to encourage the construction industry to retain and create jobs. These time frames are also necessary because of the need to act now to stimulate the economy to alleviate the impact of the global financial crisis.

The ACT is well placed to meet these time frames. Housing ACT has worked to identify projects that have development applications approved and land purchases for which development can be expedited, for example, Housing ACT's recently received development approval to construct 10 aged person units near the Canberra Hospital. Design has commenced on two further sites to construct over 50 older persons accommodation. This is just one example of how the stimulus package will be used to deliver key housing responses to the people within the community and within the time frames required by the commonwealth. There will be many others as we successfully roll out the program.

What this example also illustrates is the need for a joint approach between key stakeholders in both government and industry, informed by other partners, such as the

community sector, to identify and progress projects that meet and respond to emerging and current needs. Such an approach would be guided and informed by the discussions and outcomes of Mr Hargreaves's forum with key stakeholders, including members of the opposition and cross bench, to discuss the role of community and not-for-profit housing in relation to the stimulus package and in relation to its implementation.

I speak in support of this motion and I wholeheartedly support the commonwealth government's injection of funding for social housing in the ACT. It is an initiative that will achieve real long-term benefits for our community. It will increase and improve our social housing supply and responsiveness. It will also deliver economic benefits to the community and help protect and create jobs. It is a motion that should, and deserves to, be supported.

In relation to the amendments, we acknowledge the amendments that Ms Bresnan has circulated for the Greens. I understand from my colleague that they are acceptable to him and to the government. I thank members for their contributions. It is quite interesting today to actually have a contribution. It is good to see members of the Assembly prepared to debate at least one of the items of executive business that the government has put forward today.

I must say, though, that, whilst I welcome the contribution to this debate and its intelligence, it is good to have a debate at all. After three successive adjournments on matters of great significance to the community that the government pursues through executive business, it is good to see that the Greens and the Liberal Party are actually prepared to do at least some work today. The government is grateful for that.

Amendments agreed to.

Question put:

That the motion, as amended, be agreed to.

Ayes 11

Noes 6

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

Question so resolved in the affirmative.

Planning—subordinate legislation

Ministerial statement

Debate resumed from 31 March, on motion by **Mr Barr**:

That the Assembly takes note of the paper.

MS LE COUTEUR (Molonglo) (11.57): Mr Speaker, I would like to start by thanking the minister for clarifying a number of issues through his statement on Tuesday.

For the most part, I support the comments made in his statement, including those about keeping politics out of planning at the individual level. At the micro level, at the level of getting involved in individual development applications, I support this wholeheartedly. The recent reforms to our planning system ensure that our development assessment process is at arm's length from the politicians, which is where it should be. However, this is something which I do not believe can, or even should, happen at the macro level.

At the macro level, I believe that the government, the Assembly and the community at large should stay involved in planning. We should all be concerned about how our city is developing. We need to prepare for an increase in population, an ageing population, to improve our planning around public transport and to plan for the effects of climate change and how to continue to develop with minimum environmental impact.

Given what we know about climate change, and the fact that we know that 72.3 per cent of ACT greenhouse gas emissions come from stationary energy, we know that improving how we design, build and use our buildings is of utmost importance.

As I listened to the minister's speech on Tuesday, I was thinking: what about climate change? It seemed to be an afterthought in the minister's statement. I do not have any problems with what he did say, but I am looking forward to seeing some real change, not rhetoric. As he says, climate change changes everything. Given that, I would have expected it to be the first issue in the statement and inform the rest of the statement. However, up until now we have not seen a lot of changes in our planning system which can give us any hope that the ACT could, will or intends to reduce the energy used in buildings and development in the near future or changes that will ensure that the buildings in Canberra are better equipped to cope with the climate in the future. We know that we can build houses in Canberra which do not need external heating or cooling, but the minister's statement does nothing to make these sorts of houses the norm. We know that we can build six-green-star commercial buildings that use only about three-quarters of the energy of conventional commercial buildings and are more comfortable to work in. Again, the minister's statement does nothing to advance this agenda.

Priority issues in the Labor-Greens agreement relating to sustainability need to be woven into the territory plan, including ensuring transport orientated development, incorporating better water efficiency measures such as non-potable water pipelines in new developments, and mandatory solar passive design, including street, block and house design.

I hear the minister's comments that the new, now one-year-old, planning system is going strong, and largely that does appear to be so. However, it seems to be fairly

widely agreed that there is a backlog of development applications, which need to be attacked with gusto. There is a huge number of development applications in the system, and I still maintain that ACTPLA should just employ some more people until they are up to date.

The Greens support the federal stimulus package funding for schools and social housing. However, the government also needs to recognise that private money is just as capable of stimulating the economy and that ACTPLA should be doing its best to help those projects get underway. It would be terrible to hold them up for so long that the funding options for these developments disappear, which we know is a real threat in the current financial situation.

I thank the minister for putting on the record how the various track systems work, and they do appear to be working in general. I certainly support exemptions which are the truly non-controversial developments, as I am sure the developers and the rest of the community do as well. However, the Greens are watching, and will continue to watch with great interest, the new regulations for further exemptions, which the government has been putting up over the past few months.

Although streamlining processes can make it easier all round, the Greens are keen to ensure that measures which enforce sustainable building and design are retained. One concern I note, which I am afraid is perhaps the opposite of streamlining, is what has happened to my favourite topic for this week, energy efficiency ratings. Once upon a time, before the Building Code of Australia required energy efficiency, in the ACT house plans were assessed up-front for their energy efficiency. It was part of the DA process, so it happened before they were built. However, now that energy efficiency is part of the Building Code of Australia and not part of the DA process, energy efficiency is basically assessed after the building is built, which means that, if the building did not meet the standards, it may actually be too late to fix it. For this reason, New South Wales is using the BASIX system for rating houses up-front for energy and water efficiency and I suggest that we should look at the New South Wales system for ideas in this context.

I note the minister's comments on consultation and commend ACTPLA's initiatives to improve the public notification mechanisms. Additional thoughts on this are that the public notification notices should be published in the *Chronicle* as well as the *Canberra Times*, given that basically every household in Canberra gets a copy of the *Chronicle* for no charge. Also at present only houses directly adjoining a development are required to be notified of the development, whereas actually residents in a much broader area can in fact be affected by a development.

I join with the minister in commending the structure of the new territory plan and how it collapses a huge number of plans, codes and guidelines into one, still huge, three-volume set of folders. Although it is sizeable, it does make it much clearer to anyone with any interest in planning which plans, codes and guidelines apply to which developments.

We were disappointed not to see a reference to neighbourhood planning or master planning as part of the statement. This is part of the Labor-Greens agreement and we

had understood that it had been taken on board by ACTPLA. We are keen to see neighbourhood planning and master planning used as a key tool to reduce the level of community angst about developments. We have seen two local planning issues come and be decided by the Assembly in recent weeks, at Hawker and Nicholls shops, and I think we would all agree that this is not really the way to run the planning system. Neighbourhood or master planning is one tool which should reduce conflicts like this.

As I said, we believe it is the key to ensuring that the territory plan reflects the aspirations of the residents of Canberra. It was a key part of our agenda in the Labor-Greens agreement and it is a key part that the Greens want to see strengthened in our planning system. Master planning now only relates to the planning aspects of the old neighbourhood planning process, but it still seems to be a way to maybe not ensure but at least try to give the community, which undoubtedly have the best knowledge and ideas on how to improve their own neighbourhoods, a strategic input into the plans for their own suburbs. There are not many master plans for Canberra at this stage, and the Greens are keen to see more developed as a priority. It is a good way to resolve tensions about development pressures before it is too late.

Another issue that the Greens have been pushing for a number of years is ecological analysis as part of the planning process. We know that TAMS have produced some excellent maps with a thorough vegetation analysis, which show in great detail what kinds of vegetation can be found in the various areas across the ACT. TAMS and emergency services have recently developed detailed maps, which look at these vegetation types and what sort of bushfire management they need. This sort of information needs to be part of the planning process. I note that ACTmapi does not have any vegetation references. But, given that we are planning to develop into greenfield areas, surely this is information that is needed in the planning process.

Other issues in the Labor-Greens agreement that we would like to see picked up in the territory plan include incorporating child-friendly and pedestrian-friendly planning principles into all relevant guidelines.

I note the minister's comments about cutting red tape as part of ACTPLAN. I have no problems with this. But I do get concerned when the term "red tape" is bandied about as if it was all superfluous. I think the minister is proud of our planning system, so I wonder why he gets himself into the trap of calling the system red tape, which insinuates that it should be reduced. Again, I have to say that if we have a system that we stand by but it is not processing things fast enough perhaps it simply needs more people to run it. A person checking that things are done properly is not necessarily red tape.

I thank the minister for clarifying exactly which codes are currently under review, as it is an issue I was going to be pursuing this week anyway. However, I would appreciate some more detail about the time line for the code review and consultation around this process. In particular, I have been advised that some technical amendments are being made to mid-sized block codes. As I understand it, these variations, being technical variations, do not go to the Assembly's planning committee and have minimal consultation, but they can have significant changes and impacts.

I am also extremely interested in what the current suggestions are for further planning reform, especially relating to whole-of-government processes. Generally the Greens are supportive of whole-of-government processes, as there are a number of issues which have come up which concern partly ACTPLA and partly other departments but where the two or more departments do not always seem to communicate effectively. This can and has been very frustrating to the stakeholders involved. So we are supportive of the proposal to establish a major projects unit within ACTPLA, especially if it communicates with the Chief Minister's major projects unit.

In conclusion, the Greens are supportive of the general changes introduced in the new territory plan and I would like to echo Mr Barr's statement that climate change changes everything. But, unfortunately, it does not seem to have changed our planning system. The Greens look forward to being part of making these changes happen.

MR SESELJA (Molonglo—Leader of the Opposition) (12.09): I thank the Assembly for the opportunity to speak to the very important issue of planning in the ACT. It is worth reflecting on the minister's statement, particularly early on when he tried to frame what it was about and what it was not about. Clearly what it was not about was Labor's record on planning. There was very little of any detail or substance on that. What it was about was trying to politicise planning by saying, "We are taking the politics out of planning." It was quite an extraordinary statement and it is worth reflecting on some of the minister's words. The way in which he managed to deliver them without a hint of embarrassment is quite extraordinary.

Just after saying that Labor in Canberra will always hold the middle ground he says that he wants to take the politics out of planning; planning is not going to be political under him, but Labor is always right. He has the temerity to point to how Labor is always right and how Labor always takes the middle ground in planning by pointing to Wollongong. He points to Wollongong as an example of how Labor is right on planning. Who was in charge in Wollongong? I believe it was a number of Labor councillors who were getting into dodgy and corrupt dealings which corrupted the planning system. Apparently, not only is he not going to play politics with us but also he is going to point to how Labor councillors acting corruptly on planning issues is an example of how Labor holds the middle ground. If that is the middle ground, I wonder where is the left and where is the right. Where are the extremes if corrupt behaviour in Wollongong is the middle ground?

The framing of the argument was quite extraordinary. He made the statement that he wants to take the politics out of planning and went on to say that Labor is always right. He then said that we did not want to be like Wollongong where Labor was in charge and managed to corrupt the process. As a logical statement, we need to frame our debate around what we are debating here. It is really reducing politics to slogans. The minister says: "We're going to take it out. We're not going to be like Wollongong. We're not going to be like those corrupt Labor councillors in Wollongong. We're going to take the politics out of it. It is all about evidence-based policy."

The minister went on to assert, I think on about eight separate occasions, that the planning system is becoming "simpler, faster and more effective" under the Labor

Party. Of course, if you believe that, you will believe anything. He says it on several occasions. As the speech went on we could see that he was maybe starting to believe it a little bit. Once he said it a few times, he started to warm to it and believes that maybe the planning system actually is simpler, faster and more effective.

Mr Smyth: But he did miss it the first time.

MR SESELJA: He did miss it the first time. In fact, he refused to read it. I do not know whether there was perhaps a grain of truth. Maybe that was the initial embarrassment where he could not quite bring himself to say that the planning system under him is simpler, faster and more effective. It is worth going through some of the detail of what the planning minister had to say, apart from the slogans. He said: "We're getting there. When applicants have provided the required documentation up-front, they can have their applications assessed in a much shorter time frame."

It is worth going to some of the specifics, because what we are hearing from industry—and this is a constant refrain—is that the stop clock is being used by ACTPLA to distort the figures. When they put the stop clock on, it means that they do not go beyond the time that they are given to assess applications. The stop clock might be put on for fairly minor queries, which means that ACTPLA, the planning authority, has the opportunity to take longer and it does not show up in the figures as taking too long. This is one of the ways in which these figures are being distorted and it is a constant refrain.

The other way—and this is one that is quite extraordinary and one which we often hear about from industry—concerns the acknowledgement of the receipt of the application. This is bureaucracy gone mad, but I had a conversation with a builder in recent weeks who told me that when he submits a development application in some cases it takes weeks before they acknowledge that they have received it. You might put it in on 10 March but they do not acknowledge that they have received it until maybe the end of March or April, and of course the clock does not start until then. We hear of this kind of behaviour more and more.

Where the planning system has gone so wrong under the planning minister and his predecessor, Mr Corbell, is that they have refused to deal with the cultural and structural issues within ACTPLA. We have spoken a lot about and the minister focuses a lot of his attention on the legislation, but the legislation is not the creation of this minister or even the previous minister. The legislation is based on the DAF model which was developed at a national level. The legislative framework is not bad. Whilst we moved a number of amendments and voted against some aspects of it, the actual framework was not the problem. That is perhaps why the minister focuses on that. In many ways that is the easy bit; the legislation is the easy bit. The hard bit is making it work in practice. The hard bit is having the resources where you need them in ACTPLA so that we do not see these delays and we do not see these kinds of tactics to try and show that things are happening more quickly than they are and that the planning authority is more effective at dealing with development applications than it is.

The use of the stop clock needs to be addressed by this minister and he should ensure that when someone lodges a development application they get an acknowledgement

by email that day. They should get an acknowledgement email that day. That is a very simple matter. You put it in, you get an email and that is when the process starts. But it does not start a couple of weeks later, when they get around to it. That is not how this planning system was set up, that is not what we were led to believe and that is not a simpler, faster and more effective planning system.

We go through more of the minister's statement. As you read through the pages you get to page 5, where he says, "Simpler, faster and more effective." But then he says, "In December last year, in response to the looming financial crisis"—it had nothing to do with the fact that things were not working—"and industry concerns". You can read that it was industry concerns that led to this. It had little, if anything, to do with the financial crisis, but that is the catch-all excuse for all of the failings of government. These are long-held industry concerns and, of course, the government has ignored them. In response to this, the government announced ACTPLAN. In fact, it happened just before Christmas.

I think we know why it happened just before Christmas. It was because of the embarrassment, again, of the planning minister. Remember, this is a planning minister who is also the education minister who had to go out and argue against the smaller class sizes policy. He was sent by the government to say why it was a bad idea, why it was unaffordable, why it really would not make any difference and then he had to turn around and actually match it. He had to turn around and adopt it as his own policy. So I can only imagine his embarrassment when cabinet, industry pressure or whatever it was led to him being told, "Look, you need to adopt more of the Liberal Party's policies." I can only imagine the embarrassment that there would have been for this minister.

Forgive me if I quote from my press release, but it is worth doing so because it goes to some of the embarrassment. We see:

"Redeploying staff to clear backlogs is lifted directly from page 2—
of our policy—

where we promised a task force of staff to assist with clearing the bottlenecks.

Unclogging the system, I believe, was part of what we had. We see:

"Assigning more shopfront staff is a direct copy of our plan for a Small Business Response Team which was to operate an advice line and over the counter help.

"Changes to make applications quicker can be found under our section 'Fixing the logjam of development applications' on page four.

And this is part of the problem. We are very pleased that the minister has made some of those changes. When the minister puts forward a policy which we believe is right we will support it; we will support it to the hilt. And, if it happens to be our policy, all the better. We are not going to oppose it. We will support it when it is good policy. It is indicative, I think, of the planning minister's priorities that a couple of months after an election the only agenda items he has are to lift part of our policy.

I think it is worth going through some of the key aspects of that policy. We talked about establishing a task force of staff to assist with clearing the bottleneck in development applications that has built up since the planning act was changed in March 2008. The minister did not enjoy the speech and has departed the chamber. I think he has gone to consult our policy document. It says that ACTPLA's customer services branch is congested with a backlog of work and staff who are focused on applications that have been waiting the longest time.

We will establish a small business response team in ACTPLA to provide specialised advice to small builders. This is critical. The planning authority does not engage, as it should, directly with industry. I have visited building sites on a number of occasions and have spoken to builders who say, "I have never in all my years met or seen anyone from ACTPLA." I think that is extraordinary. These are key stakeholders for an agency and it is only reasonable that the government agency engage directly with them. It appears that in many cases the only time people ever see anyone from ACTPLA is when there is a problem or some compliance issue. Where is the proactivity in getting out there and working out what are the industry concerns and working out how they can better deal with them? That is why we had the small business response team initiative.

We also proposed to appoint a CEO of ACTPLA to implement the necessary cultural and structural change. We will hear from the minister. I am sure that if he does bother to address this point he will say: "Look, there is no need for it. There are no cultural problems within ACTPLA. It is simply that we have to move some resources here or there." Moving resources here or there is good, because that was another part of our policy which talked about bringing people in to deal with development applications.

We note the presence in the chamber of the former planning minister. That is always welcomed in these debates and we look forward to his contribution. We have heard from both ministers for planning over the last few years that there are no cultural problems within ACTPLA, that what we need is legislative change and that legislative change is going to fix it. As we said at the time, legislative change in and of itself was never going to fix it. It was part of the answer, but we are seeing now, more than one year on, that there are significant other parts to the answer and that is why we were putting a number of those things forward.

It is worth reflecting on what the minister did not cover in his speech about Labor's record. He talked about keeping the politics out of it and referred to Wollongong as an example of how Labor does things well: "Keep the politics out. Labor has got the middle ground and look at Wollongong. We do not want to be like them, except that they are Labor." This is the Labor approach to planning, apparently.

We only have to go through some of the immense planning failures—Tuggeranong power station, the data centre, the EpiCentre fiasco, the QEII debacle. This goes to land release but, under the former planning minister, we saw the deliberate undersupply of a residential land release which led to such heartache. We saw the phantom Civic to Belconnen busway project, the approval of a commercial building on the Kingston foreshore in breach of the territory plan and a proposal for a power station with 18 chimney stacks within a kilometre of residential areas.

This is the planning system over the last few years under this government. We know why the minister did not want to talk about it. He only wanted to talk about the legislation. We have bipartisan consensus on the broad aspects of the legislation, yet the system is still not working. It is not working because they have not bothered to make the cultural changes that are needed. It is not working because they still do not really listen to the issues. They have the odd roundtable, they make a couple of changes—some of those changes are welcome—but they refuse to address the issues at the core, which is making the cultural and structural changes, having the resources where they are needed and then looking to broader issues like having a land release policy that is responsive, having a tax system that actually encourages investment in the industry and streamlining things, not just in schools. This is what we need to be debating in the planning system and we welcome the former planning minister into the debate.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (12.24): I am pleased to participate in this debate today and to comment on the very detailed and, I think, weighty statement that the minister put forward in this place, because it really does reiterate the significant long-term strategic approach that Labor has always sought to bring to planning in this place. It is interesting that Mr Seselja is focused on making sure the regulatory system works better. Of course, regulation of land use, regulation of development, is just one part of planning and what we see from the Liberal Party is a very narrow perspective on planning. To Mr Seselja and the Liberal Party, planning is just a regulatory mechanism, a regulatory issue. It is just about making sure that there is as little regulation as possible. “Get rid of the red tape and just get out of the way of development.” That is essentially the position of the Liberal Party.

But, of course, we know that planning is much more than simply about regulating development activity. Planning is about adopting a long-term approach to how we manage growth and activity in the city and how we ensure that the city grows in ways which are not only efficient economically but also equitable and sustainable. And that has been the government’s focus in the development of its long-term planning policies for the city.

It is important to reiterate that it has been the Labor administration that has put in place long-term planning frameworks for the city. The development of the Canberra spatial plan and the development of the sustainable transport plan are long-term planning frameworks that today are guiding the future growth and development of our city. The Liberals are so prickly on this issue because they have no long-term vision of their own. Their only vision is to reduce staffing in the planning authority, to target those individuals that they feel are getting in the way of appropriate development assessment and to, instead, simply open it up for as little regulation as possible. Labor explicitly rejects that view of planning. Labor asserts that planning is a public activity and one which would adopt a long-term strategic view, not solely the regulatory approach adopted by those opposite.

Let us talk a little bit more about the long-term strategic approach that underpins Labor’s approach to planning in this city. The spatial plan outlines how we will

accommodate growth in the city in a way that will be sustainable. We see that being implemented now with the detailed planning and development of the first suburbs of Molonglo. It was a Labor government that for the first time took a completely fresh look at the metropolitan structure of the city, took the decision to depart from the plans put in place in the 1950s and 1960s through the Y plan and to actually provide for new urban development close to the city centre in the Molonglo area.

The development provides future urban growth capacity for the city, but does so in a way which still makes it close to the central services of the city, particularly the city centre and to a lesser extent other town centres. That work is now in place. We achieved that in a period of time unprecedented when you consider the amount of time taken to develop plans for other new town centres such as Gungahlin or the town centres that came before it.

The government has not just focused on that greenfield development. We have focused very strongly on consolidating activity within 7½ kilometres of the city centre and more broadly within an urban containment boundary within 15 kilometres of the city centre. We have important new projects now starting to emerge as a result of the strategic direction in the spatial plan—projects such as the East Lake expansion, which is an absolutely essential element if we are to accommodate growth in a sustainable manner going forward, and intensification of urban activity within existing urban areas, particularly in areas that are underutilised or poorly utilised. The East Lake development is a very good example of that.

The work that ACTPLA are engaging in with organisations such as the CSIRO are going to be landmark pieces of work in creating settlements which are sustainable in their energy and water use and which are highly efficient in terms of their proximity to existing services and access to transport.

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

Sitting suspended from 12.30 to 2 pm.

Ministerial arrangements

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage): For the information of members—I am sure they are aware—Mr Hargreaves is unable to be in question time today, as a result of other duties. If there are questions for Mr Hargreaves in relation to any of his portfolio responsibilities, I stand ready to assist to the extent that I can, but I ask for the minister's forbearance if I have to take questions on notice.

Speaker's statement

Tabling of documents

MR SPEAKER: Members, before we start question time today, I would like to make a brief statement about the tabling of documents. In recent days, ministers and

members have tabled documents in the Assembly that, in my opinion, are somewhat frivolous. These have included a copy of a photograph of a perimeter fence, an alleged copy of a policy of a party, copies of photographs of commercial developments, copies of minutes of a meeting and a suggested letter from an MLA to a commercial property owner.

The documents tabled become part of the formal record of proceedings.

My attention has been drawn to a recent media interview of the newly elected New Zealand Speaker, who made the observation that a lot of parliamentary time is wasted on the tabling of certain documents.

House of Representatives Practice at page 589 notes that it is expected that a member seeking leave to present a document will first show it to representatives of both parties in that chamber and that leave may be refused if this courtesy is not complied with.

Whilst I cannot enforce this practice as it is not in our standing orders, can I suggest that members abide by this practice. This will ensure that there are not increasing numbers of documents being tabled which are not really necessary for the proceedings of the Assembly.

Mr Seselja: Mr Speaker, can I seek clarification on that? Are you suggesting that it is both for ministers, who do not require leave, and non-executive members, who do require leave?

MR SPEAKER: Could you say that again, Mr Seselja?

Mr Seselja: Ministers do not require leave, and non-executive members do require leave to table documents. Are you suggesting this practice should apply to both?

MR SPEAKER: Yes, I am.

Questions without notice

Planning—Deakin swimming pool

MR SESELJA: My question is to the Treasurer. Treasurer, on page 14 of the parliamentary agreement between ACT Labor and the ACT Greens your government has agreed to:

Provide adequate funds to ensure that all primary school students have access to swimming and water survival skills by July 2009.

Treasurer, what level of funding will you provide to achieve this goal given the recent closure of the Deakin swimming pool due partly to the inaction of the planning minister?

MS GALLAGHER: I thank Mr Seselja for the question. The ongoing implementation of the parliamentary agreement is subject to discussion between the Greens and the ALP, including any decisions around budget initiatives and priority

budget initiatives. Those discussions are ongoing and subject to current budget considerations; so that is as helpful as I can be at this point in time.

MR SPEAKER: Supplementary question, Mr Seselja?

MR SESELJA: Thank you, Mr Speaker. Minister, what will you be doing to ensure that this part of the agreement is adhered to within the 89 days left until July 2009?

MS GALLAGHER: Well, the Greens parliamentary convenor and I meet weekly to discuss issues pertaining to the parliamentary agreement and, indeed, other matters as they arise. That is the channel where the communication occurs. Again, the budgetary implications of the parliamentary agreement are subject to budget consideration at this point.

Environment—grasslands

MS HUNTER: My question is to the Minister for the Environment, Climate Change and Water. Minister, last week in the Assembly you tabled the report on ACT lowland native grassland investigation, recently completed by the Commissioner for Sustainability and the Environment, which identified 11 grassland sites that are approaching critical thresholds for maintenance of native grasses and for which autumn burns in 2009 were identified as the best management option. Given that it is now autumn 2009, can the minister please inform members what action will be taken in the next two months to implement ecological burns to protect these grasslands and how many of the 11 identified sites will be burnt this autumn?

MR CORBELL: I thank Ms Hunter for the question. The commissioner has made a broad range of recommendations, including the recommendations that Ms Hunter refers to in relation to ecological burns. The government is moving to respond to that report as quickly as possible.

Her most urgent recommendations were those relating to culling of abundant kangaroo species in a number of those grassland sites, and the government has already indicated how it proposes to address those matters. Matters relating to other recommendations, including ecological burns, will be considered by the government, and we anticipate responding as quickly as possible.

I cannot confirm yet whether it will be possible to undertake ecological burns in the period of time that Ms Hunter has indicated. That is a matter that is subject to discussions between my department and the land manager in the Department of Territory and Municipal Services.

MR SPEAKER: Ms Hunter, a supplementary question?

MS HUNTER: Thank you. Minister, given that ecological burns are identified as a better management option to improve grassland diversity, I am wondering why it is that you are prepared to risk the health of grasslands and not to proceed with those burns this autumn.

MR CORBELL: I did not say that, Mr Speaker. What I said was that the government will be responding to all of these recommendations as quickly as possible, including the ones relating to ecological burns. But I am not in a position today to confirm the time frame in relation to such burns. They require consultation with the land manager who is responsible for undertaking that work. I may stand corrected, but I do not think the commissioner recommended that that needed to occur in this season. I may stand corrected on that; I will check the record. I think the only time-critical recommendations that the commissioner made that were the most immediate and pressing were those relating to culling of kangaroo species. I do not recollect the commissioner recommending that the ecological burn program should commence this autumn. If that is the case then obviously the matter is one that needs to be pursued in the context of this particular time frame. But that is not my recollection of the commissioner's recommendations. As I say, I will check the record.

Housing—public

MR COE: My question is to the Treasurer, and it relates to the Greens-Labor agreement. Treasurer, one of the agreed policy points of the agreement is to:

Adopt a goal of 10 per cent public housing stock.

Treasurer, has your department provided you with advice as to the cost of this policy and, if so, will you table that advice?

MS GALLAGHER: I welcome the opposition's interest in the Greens-ALP parliamentary agreement. Elements of the agreement are being costed, particularly in relation to items that we are considering as part of the next budget process.

Mr Hanson: You've signed up to it without costings?

MS GALLAGHER: Sorry, I should not respond to the constant interjections from Mr Hanson. The elements of the agreement are being funded as we are pursuing the implementation of the agreement. They are all subject to budget considerations and therefore they are cabinet in confidence. So, no, I will not be tabling that information.

MR SPEAKER: Mr Coe, a supplementary question?

MR COE: Yes. Minister, why are you hiding the cost to the government of this commitment? What is your plan to implement this goal? When will this goal be achieved?

MS GALLAGHER: The parliamentary agreement is an agreement between the Labor Party and the ACT Greens. I do not think I am at all required to inform the Liberal Party of or report around the implementation of that agreement. The elements of the Greens-ALP parliamentary agreement that are appropriated through the budget will be subject to the Liberal Party's scrutiny through the estimates process. I think it is going to be as open and transparent as any other expenditure from government.

We went into that agreement knowing that it had costs. In the negotiations, we did discuss possible implementation issues around a number of those items in the Greens-ALP parliamentary agreement, but my dealings with the Greens, as opposed to those with the opposition, have involved willingness to cooperate, collaborate, look at different ways of doing things and to implement the agreement in the shared interest of pursuing the goals of that agreement.

I am a little bit cynical about your recent and renewed interest in the parliamentary agreement. I think it is probably less about implementing and actually achieving the worthwhile elements of that agreement and more about political point scoring. I can assure the opposition, though—I know they are all busting and waiting for budget day in order to come out with their fists flying about how economically irresponsible we all are—that we and the Greens, in our discussions around this upcoming budget, are very mindful of the pressure that exists on our budget and the fact that we are looking at ways to contain costs in any new initiatives that are funded in the budget. That is the sensible thing to do; it is the responsible thing to do; it is the right thing to do.

Hospitals—Nurse-led walk-in centres

MS BURCH: My question is to the Minister for Health. Minister, the ACT government recently undertook community consultation on proposed nurse-led walk-in centres. Can you please provide an update to the Assembly on the outcomes of this consultation round and how this new concept of primary health care will assist the people of the ACT?

MS GALLAGHER: I thank Ms Burch for the question. The government has been undertaking a very broad range of community discussion around the proposed nurse-led walk-in centres. These are proposed new models of care, new ways of doing things that we have not done in the ACT before, exciting ways of doing things to fit a particular area within the health service, particularly for those people that find it difficult to access a GP, people who are finding it difficult to access some level of health care out of hours and particularly for those low level interventions that are irritating but could be dealt with by a nurse practitioner.

We have had a number of responses to our discussion paper; I think we had 26 responses in total. We ran a number of public meetings, which were not that well attended outside of your—

Mr Hanson: I was there. I went to the one in Woden.

MS GALLAGHER: Then you can attest to the fact that it was not well attended, outside of the people we often see at those discussion forums. But, overwhelmingly, the feedback around nurse-led walk-in clinics has been one of support, although there has been some cautious and conditional support from some organisations involved. I think that is not unusual when you are looking at new ways of doing things and broadening the scope of some health workers into new areas. But the discussion paper came out with broad support for nurse-led walk-in clinics that are co-located within a hospital or established as a shopfront service located close to major transport hubs,

which is certainly some of the models that we have seen in the UK, or partnered with established GP or medical centres. They are the options that have had the most significant support.

Some of the professional groups would prefer that the nurse-led walk-in clinics commence in the hospital campus and fall under that governance arrangement. I think there is a bit more work to do and discussions to be had around the scope of practice and the final site for the first nurse-led walk-in clinic, but I certainly thank people who have participated in the discussion, and those organisations and professional groups where this has been a challenging issue, in terms of considering whether or not they would support such a model, for being gracious enough to give us that conditional support pending further discussions and finalising the scope of practice for these nurse-led walk-in clinics.

The government in the election campaign committed to starting the first nurse-led walk-in clinic in a hospital setting prior to moving out to a community-based setting, and that is still our position. I think there is some merit when you are establishing new ways of doing things to have very tight governance over that and a very thorough review process before you move out of the confines of that hospital setting. But I would say that if this model is successful, if it does what we want it to do, which is to relieve some of the pressure from our emergency departments, to meet some of the needs of particularly young families in accessing primary care out of hours when other options are not available, the idea of moving them to the community and having them accessible and close to people's homes is something that we will pursue further.

The outcomes of the consultation round have been very successful to date. I look forward to working with all those organisations to see this project through to the final stages with the opening of the first nurse-led walk-in clinic, hopefully within the next 12 months if we can deliver it with the agreement of all involved in that time.

Economy—recession

MR SMYTH: My question is to the Treasurer. Treasurer, in the Assembly on 24 March this year you said:

... household consumption and private sector investment has increased. These are all measures of an economy that has underlying strengths.

Minister, yesterday the Australian Bureau of Statistics released the retail sales figures for February 2009. Treasurer, why did the seasonally adjusted retail sales in the ACT fall by \$65,000 per day in February 2009?

MS GALLAGHER: Thank you, Mr Speaker. I thank Mr Smyth for the question. When you look at retail sales figures for the month of February, they were down in the ACT by about 0.5 per cent, which is the second lowest, after the Northern Territory, of anywhere in the country.

The collapse in world trade, perhaps, the collapse in the financial markets and the fact that almost the entire world is in recession and Australia appears to be heading that way may have something to do with the preparedness of individuals to actually spend.

When you look at the areas where they are not spending, they are not spending in department stores and they are not spending in other retailing.

Mr Smyth: So the stimulus package has failed?

MS GALLAGHER: Well, I think what you will see is the fact that retail spending in the ACT picked up in December and January and then eased slightly in February, which strengthens the federal Treasurer's argument about the importance of the December stimulus package and the importance of the second \$42 billion stimulus package, which will start flowing following April this year. We expect that the \$900 going to many millions of Australians will have some impact on retail sales figures once that money is out.

The issue here is that the ACT economy is holding up better than others—

Mr Smyth: So retail sales is healthy?

MS GALLAGHER: Yes, retail sales are slightly down this year, but over the year they are still maintaining positive figures. I would have to say that perhaps the single biggest reason at the moment is consumer confidence. That is what I put it down to. I think I would have broad Assembly support for that position.

MR SPEAKER: Mr Smyth, a supplementary question?

MR SMYTH: Thank you, Mr Speaker. Treasurer, as the ACT is in recession, what will be the effect of this fall in retail sales on the ACT economy?

MS GALLAGHER: I think any fall in retail sales is not going to be positive for the ACT economy. The fact that consumer confidence seems to be the issue here might mean that the lesson for the Treasurer is that perhaps, instead of talking it down, we actually say that a 0.5 per cent reduction, as opposed to much larger reductions in other states, is actually good for the ACT and shows that the underlying strength and the fact that incomes are traditionally higher here—average incomes are higher here—and still rising compared with expenditure at the moment means that people are being a little cautious.

What we should be doing is saying that our economy remains strong. The ACT government remains willing to invest. We are taking a very cautious approach in this budget about our responses to dealing with our financial position precisely so that we can instil in the community a level of confidence which then flows on to other areas of the economy. That is how I interpreted these retail sales figures. We would prefer to see positive numbers and we would prefer not to see a decline in retail trade. Actually, when you look at the rest of Australia and when you look at the rest of the world, these figures are not that bad.

Economy—reform

MR HANSON: My question is to the Treasurer. Treasurer, what action is the Stanhope-Gallagher government taking with respect to implementing microeconomic reform in the ACT?

MS GALLAGHER: I thank Mr Hanson for the question. The ACT government in the current economic climate, looking at the issues that our economy is facing and the capacity within the ACT government to deal with that, is looking at a whole range of options to deal with microeconomic reform. I notice that those opposite have opposed every single microeconomic reform that this government has ever sought to introduce.

I can tell you that we are not in the position where there will be significant changes to the revenue that the ACT government collects each year. I can advise the opposition that there will not be significant changes, but we are working with industry—talking with them and listening to them. A number of roundtables that the Chief Minister and I have held, along with Minister Barr, are looking at all the options that industry have put to us and considering them in the context of this budget. I am sorry for the opposition, but they will just have to wait and see.

MR HANSON: Treasurer, what negotiations have you had with the NSW government with respect to achieving microeconomic reform on a cross-border basis?

MS GALLAGHER: I haven't.

Budget—outcome

MRS DUNNE: My question is to the Treasurer. Treasurer, the Stanhope-Gallagher government is presumably in the process of finalising the 2009-10 budget. In preparing the budget, would you have provided cabinet with regular updates on the state of the budget for this financial year, that is, for 2008-09? Treasurer, in doing so, did you rely on figures that were contained in the midyear review or did you provide cabinet with later figures on the estimated budget outcome for 2008-2009?

MS GALLAGHER: I know Mrs Dunne would love to be at the cabinet table, considering and putting together the ACT budget, but she is not. The budget decisions, the budget discussions, are cabinet-in-confidence and I think it would be highly unusual for me to come in here and inform the Assembly about information provided to cabinet in the context of those discussions. Mrs Dunne knows that. In the highly unlikely situation that Mrs Dunne will ever be in cabinet, we presume she would hold the same view as I do: the information provided to cabinet in the context of cabinet decisions and budget decisions is cabinet-in-confidence. I am not here to talk about it with you.

MR SPEAKER: Mrs Dunne, a supplementary question?

MRS DUNNE: On the assumption, of course, that that information was provided to cabinet, minister, why would you not provide the public accounts committee with updated outcomes on the 2008-2009 financial year?

MS GALLAGHER: We published the estimated outcome through the midyear review and through the budget papers and it is reflected in the quarterly reports following the midyear review. That is the practice in this place.

Indeed, when we go back to the decision to do that and the debate that was had in this Assembly—and I note the bill was introduced and, I think, passed within five days, unlike any bill that is able to be passed now—Mr Humphries, Mr Quinlan and Ms Tucker all spoke about the importance of having rigorous data and that the monthly reports, as they were being prepared, really did not provide the level of information that members were after.

Mr Seselja: You don't want to get it wrong then.

MS GALLAGHER: It was difficult to apologise yesterday but I did, unlike the opposition. There are a couple of them that sometimes come in and correct the record. It was difficult, but I have done it. I have moved on from that moment. I hope I never have to repeat it, I must say. It is not something that a minister would like to do but it is the right thing to do. We have done that.

The operating result is provided, under legislation, through the mechanisms that I have discussed. We are not changing that position. The opposition—and I know they are drooling with excitement over this—will be given all the information, up to date, as it exists on 5 May.

Planning—Woden master plan

MS LE COUTEUR: My question is to the Minister for Planning and concerns the Woden master plan.

Members interjecting—

Mr Stanhope: On a point of order, Mr Speaker: I honestly cannot hear the question as a result of the constant interjections.

MR SPEAKER: Ms Le Couteur, can you start the question again.

MS LE COUTEUR: My question is to the Minister for Planning and concerns the Woden master plan. Minister, the previous Minister for Planning, Mr Corbell, approved the Woden master plan. However, this plan was never gazetted by ACTPLA and there have been subsequent changes to the territory plan which are inconsistent with the master plan. Minister, why was the master plan not gazetted?

MR BARR: This was, of course, well before my time in the Assembly, but my understanding of this matter is that the previous legislation and the previous territory plan, as I referred to on Tuesday in my ministerial statement, had around 87 other documents that had different levels of status.

In moving to the new territory plan, significant elements of the Woden master plan were incorporated into the new territory plan. There have been, of course, subsequent territory plan variations, including one that was particularly topical in this place, where Mr Seselja supported one position in the committee and then changed his mind on the floor of the Assembly during the debate. So there certainly has been fluidity

around the Woden master plan and its implementation in the new territory plan. And Mr Seselja knows a lot about that because he was flip-flopping all over this chamber on these matters last year.

I think it is important for the member to understand that not every document or the planning for every master plan or every planning guideline had equivalent status under the previous legislation. It is my understanding that the significant elements of the Woden master plan were incorporated into the new territory plan that was adopted by this place last year.

MR SPEAKER: Ms Le Couteur, a supplementary question?

MS LE COUTEUR: Thank you. Will the minister commit to taking action to implement the aspirations of the residents of Woden as expressed in the master plan and apply all the parts which are consistent with the current territory plan?

MR BARR: I certainly am aware that there are some elements of the 2004 master plan that some elements of the Woden community would like to see implemented, but I am also aware that many of the same elements of the Woden community, represented through the Woden Community Council, have in fact now changed their position on a number of matters and are proposing that, five or six years on from that consultation, and with other issues, such as climate change, emerging, there are other aspects that they would like to see or changes to what was originally discussed in 2004.

Planning must always be an evolution of thinking and an evolution in context. There is no doubt that a lot of the work that occurred in 2004 has been implemented and will continue to be implemented. But things change, and it is important that we are able to adapt to those matters and take advantage of new opportunities that might arise, as a result of either new government investment opportunities, new private sector investment opportunities or a change in thinking around things like transport or retail space in a particular precinct.

There is no doubt that the core elements of the Woden town centre master plan, and those particularly that relate to increased residential density in the Woden town centre, are the protection of major sport and recreation facilities—and, I would add, things like Phillip Oval and the Pitch ‘n’ Putt golf course are key parts of what was protected in the territory plan variation that went through this place, together with a 50-metre pool at Phillip. They were all key parts of what was put into the territory plan variations. In spite of the flip-flopping of the Leader of the Opposition on this matter, they were ultimately supported in the Assembly.

Children—care and protection

MR DOSZPOT: My question is to the Minister for Children and Young People. Minister, yesterday, in answering a question over the imported labour fiasco, you named me and the Leader of the Opposition in an attempt to score a cheap political point. Mr Seselja and I took great offence that we would be attacked for our surnames alone. You apologised in parliament after question time, but then in a press release

you tried to put the blame for your behaviour on the opposition. Minister, would you publicly and unreservedly apologise for your offensive comments.

MR BARR: Mr Speaker, I apologised yesterday if Mr Doszpot and Mr Seselja took personal offence in relation to the comments I made, but I do not resile from the other comment I made, and that was that the only ethnic slurs that have been occurring in this place in the last 72 hours have been perpetrated by the Liberal Party on British care and protection workers.

MR SPEAKER: Mr Doszpot, a supplementary question?

Mr Stanhope: Quit your pommie bashing.

MR DOSZPOT: Mr Speaker, the minister has constantly deflected from the true nature of the question. We asked for an apology which, reluctantly—

MR SPEAKER: Mr Doszpot, no preamble, straight to the question.

Mr Stanhope: Pommie basher! Sit down, you pommie basher!

MR DOSZPOT: So now I'm a pommie basher?

Mrs Dunne: On a point of order, Mrs Dunne, Mr Speaker, three or four times the Chief Minister called Mr Doszpot a pommie basher. It was obviously an attempt to be disorderly. It is an inappropriate use of language and unparliamentary. He should withdraw it.

Mr Stanhope: On the point of order, Mr Speaker, I am the child of English migrants in Australia, and I know a pommie basher when I see one. I have experienced as much pommie bashing as anybody. For Mr Doszpot to stand in this place and make puerile remarks and cry crocodile tears in relation to an alleged racial slur when he stood in this place this week and actually derided people of my heritage I think is just a little rich. To stand here and say that those of us that are attacked on the basis of our name—

Mr Smyth: What's the point of order? This is not a point of order; it's a speech. Sit down. This is a speech, Mr Speaker; it's not a point of order.

MR SPEAKER: Chief Minister.

Mr Stanhope: I am a person of English heritage, and to stand here and pretend that what you have been doing is not pommie bashing is simply just a bit rich.

Mrs Dunne: On a point of order, Mr Speaker—

MR SPEAKER: Order, Mr Stanhope, resume your seat, thank you. Mr Stanhope, I invite you to withdraw the comments you are making across the chamber.

Mr Stanhope: Well, I do withdraw them, Mr Speaker, in deference to you.

MR SPEAKER: Thank you, Mr Stanhope.

Mr Doszpot: You're a joke, Jon. You're an absolute joke.

MR SPEAKER: Mr Doszpot, you might want to withdraw that one as well, in the spirit of the conversation.

Mr Doszpot: In the spirit of the conversation, I will withdraw, Mr Speaker.

MR SPEAKER: Mr Doszpot, would you like to ask a supplementary question?

MR DOSZPOT: Minister, why will you not publicly apologise for the comments you made to Mr Seselja and me? I would like to take into account Mr Stanhope's apology for accusing us now of pommie bashing as well, which we certainly did not take any part in. I totally reject any assertion that we have.

MR BARR: Mr Speaker, I did apologise yesterday to Mr Seselja and Mr Doszpot or any member of the Liberal Party who took personal offence. My comments were in response to what was a vicious attack on British care and protection workers perpetrated by the Liberal Party.

Mr Hanson: It had nothing to do with it.

MR BARR: It had everything to do with it. I repeat again: the only ethnic slurs that have occurred in this Assembly this week were perpetrated by the Liberal Party against British care and protection workers.

Transport—light rail

MS BRESNAN: My question is to the Chief Minister and concerns the ACT government's commitment to its stated top infrastructure priority of light rail. Chief Minister, in reply to my question on 9 December about the PricewaterhouseCoopers light rail study, you stated:

I am hopeful that it—

that is, the study—

will be submitted to the government sooner rather than later ... I am more than happy to provide the final report to members of the Assembly, and indeed to the public, when received.

Several months have since passed and the funding announcements from Infrastructure Australia are now imminent. Can you please inform the Assembly if updated or finalised documentation was sent to Infrastructure Australia in support of the territory's light rail bid? Can you table that finalised study document in the Assembly before the end of the sitting day?

MR STANHOPE: I thank Ms Bresnan for the question. The government has received what I believe can be described as a final report which has been submitted to Infrastructure Australia. The original documents in relation to our bid were lodged, as I think you are aware, during the caretaker period in the context of last year's election. I just have to actually confirm that sequence of events.

The question of the release of the final reports in relation to the ACT government's submission to Infrastructure Australia is something on which we have received a number of representations about which the government has given serious consideration in relation to the appropriateness and timing of their release.

I accept the advice that was previously provided to you. There was significant and serious consideration within the ACT public service, amongst advisers, about the implications of being seen to be agitating a particular position in relation to a commonwealth assessment process from the sideline and the implications of that in terms of the consideration of our overall bid.

I have no desire for the documentation, the reports into light rail, not being released and being made publicly available. Advice I received was advice around a concern about the basis or nature on which a submission to the commonwealth for significant funding might be released or might most appropriately be used.

I would need perhaps to take some additional advice on that. I have no desire for members not to have access to this report. We have given consideration to the question of what would be an appropriate time.

I will just take some advice today certainly from Mr Andrew Cappie-Wood, the head of the Chief Minister's Department. It may be, Ms Bresnan, that subject to the attitude that members would be prepared to take in relation to the potential use of the document, or its further dissemination, the report could quite reasonably be provided to members today. But I would appreciate an opportunity of taking some final advice on that.

MR SPEAKER: Ms Bresnan, a supplementary question?

MS BRESNAN: Thank you, Mr Speaker. Is the Chief Minister aware that senior officers presenting information on the redevelopment of the Belconnen bus interchange at a recent Belconnen Community Council meeting explicitly indicated that there had been no provision made for the integration of light rail in this project either initially or at a later date?

MR STANHOPE: Some of the very significant and far-sighted work that has been done by this government in government was the identification of a dedicated transport corridor between Belconnen and the city. It is work that has been trenchantly opposed and criticised by the opposition in this place. But in the context of the future—and future planning, appropriate planning for the territory—it should be acknowledged that the very significant and important work that has been done by this government in identifying a dedicated transport—

Mr Seselja: Otherwise they might have built houses in the bush.

MR STANHOPE: It is about the business of government. It is about planning for the future. Indeed, Ms Bresnan, it is fair to say that the government has given detailed consideration to the possibility of ensuring that there is the capacity for dedicated transport infrastructure to be developed between Belconnen and the city. Certainly it is work that needs to be expanded and work that needs to incorporate the rest of the ACT. It is a very significant achievement by this government—indeed by the former minister for planning, Mr Corbell—to have the foresight to follow through on some very important planning work so that we are prepared for the day when we can either enhance our public bus network or, at a time when we as a jurisdiction have the capacity and the resources to perhaps invest in light rail, have the capacity to deliver it.

Yes, significant work has been done. But in the context of the immediate capital works that have been pursued in the Belconnen town centre, in the Belconnen area, as a result of the proposal to decommission the Belconnen bus interchange, there is no work being undertaken at this stage. There is no investment. There is no capital investment in some significant and enhanced—and in some regards temporary—infrastructure that is being currently delivered as a result of the decommissioning of the Belconnen busway in, we believe at this stage, a date in May.

Environment—green power

MS PORTER: My question is to the Minister for the Environment, Climate Change and Water. Can the minister outline what the government is doing to encourage Canberrans to make the switch to greener energy?

MR CORBELL: I am very pleased to get this question from Ms Porter because it does give me the opportunity—

Opposition members interjecting—

MR CORBELL: to comment on steps the government is taking to improve information to consumers on the choices they have to take up green power. It is disappointing that the Liberal Party think this is some sort of a joke, but for over 10,000 Canberrans now making the choice to adopt green power it is a real and legitimate one that they have wholeheartedly embraced.

Earlier this week I announced that the government has taken the next step in that process by requiring, as of 1 April—that is, yesterday—that all electricity suppliers in the ACT offer a green power product to all new or reconnecting electricity customers as their first offer of a power product. This is designed to encourage consumers to choose green power ahead of other power products. To date it has not been an obligation on the part of electricity retailers to say to a consumer who rings up and says they want to connect or reconnect with them as their provider: “Have you thought about green power?” and “This is how much it costs and this is what it means for you and for the environment.” But, as of yesterday, that is the case. It is now compulsory for electricity retailers to make that offer as a first offer to consumers.

We really have seen a significant uptake in green power here in the ACT. In 2004 we had just over 5,700 Canberrans sign up to green power. By 2007 that had increased to over 10,000 customers and, importantly, the amount of green power purchased during this time has almost trebled from just over 30,000 megawatts to 91,000 megawatts—in fact very close to 92,000 megawatts.

What this demonstrates is that Canberrans are more and more aware of the fact that green power is an important product and an important way that they can make a contribution to reducing their greenhouse gas emissions, and as of yesterday they will receive a very timely reminder each and every time they ring up to connect or reconnect their electricity. They will be required by their retailer to be given information on the green power choices available to them. It is an important issue and one which will make it easier for Canberrans to switch to green power.

MR SPEAKER: Ms Porter, a supplementary question?

MS PORTER: Thank you, Mr Speaker. Minister, can you advise any difficulty the government is aware of that would impede the promotion of this initiative?

MR CORBELL: Yes. I regret to say the government is aware of potential impediments that may impact on the ability to promote this initiative. I would refer members to the excellent advertising material that is being made available to promote this initiative to consumers and raise their awareness of it. Of course, the scheme is titled “we’re making the switch”. If I recall correctly, which I think I do, that is a slogan and that sort of slogan would be prohibited under the provisions of Mr Seselja’s legislation which the Assembly has seen fit to refer to a committee.

Of course there are other very important types of messages being got across, for example, can you make the switch—and this postcard will be distributed in the ACT—encouraging Canberrans to consider green power. Because it is a slogan and it employs clever advertising devices such as a graphic, it will, unfortunately, be prohibited under Mr Seselja’s legislation.

What this highlights is that there are some real, serious and legitimate concerns that the government has about its ability to promote valuable schemes such as green power if we have to face the absurd and draconian provisions that Mr Seselja is proposing in relation to his legislation. Is the Liberal Party seriously saying that we cannot go out and promote green power and encourage Canberrans to make the switch?

We can also refer to other sustainability issues that the government has. Let us think about it. We have the water initiatives: stop the drop—that would be put in jeopardy—and save water for life. Actew’s campaign to encourage Canberrans to save water would, again, be in jeopardy under the Liberals’ provisions. Indeed, “making the switch to green power” and “think water, act water” are all slogans, jingles or advertising provisions that would be put in jeopardy.

Mr Seselja should understand that the provisions that he is proposing will put in jeopardy this type of promotion, will put in jeopardy our ability to convince

Canberrans to make the switch to green power. It is for those reasons that the government will continue to highlight exactly what is being put at risk by the absurd provisions in Mr Seselja's legislation.

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

Supplementary answers to questions without notice

Unemployment

MR COE: On Tuesday during question time, the Treasurer said that she would give me some information regarding Treasury's forecast for unemployment. I would like to advise the chamber that I am still waiting for that information that she said I would get that day.

MS GALLAGHER: I did mean to rise at the end of question time. Treasury have advised me that they do not normally publish their forecast unemployment rate, that that has not been the way of doing—

Mr Coe: You can still release it.

MS GALLAGHER: If you would just let me finish—that has not been the practice aside from the 2006-07 budget, where they did include an unemployment forecast. An unemployment forecast will be provided in this year's budget. All I can say at the moment is that Treasury are expecting unemployment to rise but not to exceed four per cent.

Mr Coe: You could have told me that before today.

MR SPEAKER: Order! Mr Barr.

Education—excursion fees

Education—public system

MR BARR: Thank you, Mr Speaker. Just to add—

Ms Gallagher: I have had some, but it is not usually published.

MR SPEAKER: Order!

Mr Coe: You could have told me that, though.

MR SPEAKER: Order. Mr Barr has the floor.

Mr Coe: You have had two days.

MR SPEAKER: Mr Coe!

Ms Gallagher: Grow up, Alistair; you really are getting very, very boring.

MR SPEAKER: Order! Members! Mr Barr has the floor.

Mr Coe: Good on you. Good on you, Katy. Poor Katy.

Ms Gallagher: I do not feel poor, Alistair; I feel sorry for you, mate.

MR SPEAKER: Treasurer! Mr Barr has the floor.

MR BARR: I need to add to an answer I gave yesterday to Ms Bresnan. She asked in part:

... is the minister aware that government primary school students are required to pay \$15.50 each to attend the Birrigai outdoor school ...

I can advise that the total funding which flows to Birrigai from this entry charge is over \$100,000. The ACT government provides more than five times this amount—over half a million dollars in direct funding to Birrigai. Birrigai also generates other funding in the order of \$800,000 for external use of the facility.

Ms Bresnan's media statement yesterday used weasel words to imply that Birrigai is required to cover its operational costs fully by charging students. This is false. I do look forward to any suggestions from Ms Bresnan as to what services she would cut back or what taxes she would increase to fund her policy to cut this source funding to Birrigai.

I was asked by Ms Burch in question time yesterday:

Would the minister advise the Assembly about community reaction of which he is aware to the ACT government's reform process, which has again been reflected in this year's schools census?

I am advised that a member of the community, Mr Doszpot, has reacted to the school census by stating that the increase in enrolments is an increase of 0.001 per cent.

Mr Seselja: Is this an addition to his answer?

MR BARR: I can advise that this is incorrect. My staff have calculated that an increase of 0.00—

MR SPEAKER: Order! Mr Barr, resume your seat for a moment, please.

Mr Corbell: Mr Speaker, just to—

MR SPEAKER: Order, Mr Corbell! Mr Barr, the reason I stopped you is that my general understanding is that when we rise shortly after question time it is to add additional information or come back on questions without notice which were asked. I do not believe that you had an undertaking to Ms Burch to take it on notice. I think that you are straying outside correcting yourself and starting to move into having an attack on Mr Doszpot. That is why I have pulled you up. If you have information to correct yourself, that is fine, but I do not want to see you starting to talk about Mr Doszpot's press releases in this forum; you can do it in other fora.

MR BARR: Thank you, Mr Speaker; I will take your advice.

Environment—grasslands

MR CORBELL: In question time today Ms Hunter asked me a question about recommendation 19 of the report of the Commissioner for Sustainability and the Environment into endangered native grassland sites. In her question, Ms Hunter indicated that it was her understanding of the commissioner's recommendation that there was a requirement to undertake ecological burns this autumn on selected grassland sites. That is not correct. The commissioner recommended the undertaking of experimental ecological burns on selected sites to determine the appropriateness of a wider application for managing lowland native grassland sites in the ACT, but this is specifically included outside the commissioner's urgent recommendations. Therefore, the government will be proceeding with its response to this recommendation in due course, as I indicated during question time. It is not an urgent recommendation of the commissioner; the urgent recommendations relate to the culling of abundant kangaroo populations on native grassland sites.

Ms Hunter: Mr Speaker, may I correct my question, because I think that it has been misinterpreted by Mr Corbell?

MR SPEAKER: Ms Hunter, you will need leave under standing order 46 to make a personal explanation.

Mr Stanhope: Only if she has been misrepresented.

MR SPEAKER: Ms Hunter, do you claim to have been misrepresented or do you simply wish to make a further statement?

Ms Hunter: I wish to clarify the question that I asked.

MR SPEAKER: Is that a misrepresentation or a further statement?

MS HUNTER: I seek leave to make a statement.

Leave granted.

MS HUNTER: The question that I actually asked today was this. There was a report on the ACT lowland native grassland investigation; this was recently completed by the Commissioner for Sustainability and the Environment. What I was talking about was that the report itself identified 11 grassland sites that are approaching critical thresholds of native grass and the need for burns in 2009—not that it was part of recommendation 19 that the commissioner had made within the body of the report but that, with 11 grassland sites approaching critical thresholds, in order to maintain those native grasslands, autumn burns were identified as the best management option.

MR SPEAKER: Members, we now move to presentation of papers.

MR CORBELL: Mr Speaker, I seek leave to make a statement in response.

Leave granted.

MR CORBELL I am sorry, Mr Speaker, but I specifically recall Ms Hunter asking the question in relation to the requirement for urgent action to undertake ecological burns. That was quite clear and apparent from her question. What I am saying is that the commissioner has not recommended that burns be undertaken as a matter of urgency—

Mr Coe: You have made that point.

MR CORBELL: And I have got leave to make it again, Mr Coe. Mr Speaker, that is the point I was simply trying to make in clarifying the status of the recommendation in the commissioner's report.

Paper

Mr Speaker presented the following report:

Quarterly travel report—Non-Executive Members and staff—Seventh Assembly—Quarter ended December 2008—together with an explanatory statement outlining changes to the timing of these reports.

Financial Management Act—instruments Papers and statement by minister

MS GALLAGHER (Molonglo—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (2.54): For the information of members, I present the following papers:

Financial Management Act—

Pursuant to section 14—Instrument directing a transfer of funds from the Chief Minister's Department to the Department of the Environment, Climate Change, Energy and Water, including a statement of reasons, dated 1 April 2009.

Pursuant to section 16B—Instrument authorising the rollover of undisbursed appropriation of the Department of Territory and Municipal Services, including a statement of reasons, dated 29 March 2009.

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

Leave granted.

MS GALLAGHER: As required by the Financial Management Act, I table an instrument issued under section 16B of the act. The direction, and a statement of reasons for section 16B instruments, must be tabled in the Assembly within three sitting days after it is given. Section 16B of the act, rollover of undisbursed appropriations, allows appropriations to be preserved from one financial year to the next, as outlined in the instrument.

The appropriation being rolled over under the section 16B instrument was not dispersed during 2007-08 as it is required in 2008-09. The section 16B instrument provides for a rollover of \$417,000 in payments on behalf of the territory appropriation for the Department of Territory and Municipal Services and includes \$243,000 for the office of the commissioner for the environment to cover costs of preparing the *ACT state of the environment report 2007-08*, which was delayed pending the appointment of a commissioner for the environment and \$152,000 in heritage grants and \$22,000 in environment grants to be made available in 2008-09 to meet obligations relating to approved but not yet disbursed grant funding. I commend the instrument to the Assembly.

Papers

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (2.55): I present the following papers:

ACT Criminal Justice—Statistical Profile 2008—December quarter.

Petition which does not conform with the standing orders—Giralang shopping centre site—Proposed development—Ms Porter (2,871 signatures).

Ms Porter: May I ask the minister if he is able to move under the standing orders that the petition might be referred to a minister?

MR CORBELL: It is automatically.

Ms Porter: Even though it is out of order? I was just a bit concerned that it might have been out of order.

MR CORBELL: I seek leave to move a motion in relation to the petition I have just tabled in relation to the Giralang shops.

Leave granted.

I move:

That the paper be referred to the appropriate Minister for response.

Question resolved in the affirmative.

Children and young people Ministerial statement

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (2.57), by leave: In my ministerial statement to the Assembly that was tabled last year, I concentrated on education and training. I indicated in that statement

that I looked forward to the opportunity to make a more substantial statement on the government's agenda for action in the children and youth portfolio this year. And I am pleased to have that opportunity today.

In one way, children and youth is not a very political portfolio. Our real goals are very practical: help children and young people in all Canberra families—all kids, not just the challenging cases or the teen prodigies—and help the most vulnerable to help themselves. In another way, children and youth is all about politics, because it is all about values. The progressive political values of fairness and community are the values which mark a good society for our kids. And these are the values that drive Labor politics and these are the values that drive our policies. And that is why 2009 will be a year of action and a year of planning for the future.

In my ministerial statement last December, I said the government had hit the ground running. We began as we intended to continue and we continued as we have begun. In the children and youth policy area, 2009 is already a year of action—action to make sure more parents can get childcare for their kids. We have opened four new early childhood schools at Southern Cross in Scullin, Narrabundah, Isabella Plains and Lyons. We have created an additional 120 childcare places and 15 occasional care places in areas such as Gowrie, Rivett and Yarralumla, meaning an extra 850 licensed childcare places will be made available in 2009—action to make sure kids get childcare of the highest quality.

We have launched new childcare services standards to improve the quality of childcare. We will publish a childcare standards report annually, to improve transparency and accountability in the childcare sector. And, under the third phase of the new Children and Young People Act, we are driving new policies and procedures, staff and stakeholder training and compliance in monitoring measures—action for the professionals who care for our kids.

We are helping childcare workers gain vocational education and training qualifications through the Canberra Institute of Technology. Enrolments in the Diploma of Children's Services have more than doubled and this will mean more than 100 extra child carers every year.

We are helping new child and protection professionals make Canberra their new home, with a buddy system for 33 new workers from Ireland, Scotland and England.

And this is only the beginning of our year. During 2009, the government will be doing much more. We will be listening—listening to our new youth homelessness working group; listening to our children's services forum and their ideas to beat the shortage of childcare workers; listening to the needs of playgroups in the territory. And I am very much looking forward tomorrow to listening to the many young people who have been involved in Youth Week activities.

We will be investing—investing \$250,000 in the forward design work for a new child and family centre in Belconnen; investing \$3 million to build two new childcare centres in areas of high demand in the ACT; investing \$1.9 million to expand youth health services in Belconnen, Gungahlin and Tuggeranong. And we will be

delivering—delivering stronger early intervention and prevention initiatives; delivering access to 15 hours of preschool each week for four-year-olds, starting in our early childhood schools; delivering nearly \$2.5 million over four years to improve services for vulnerable Aboriginal and Torres Strait Islander families.

We must get on with the job now but we also must plan for the future. Much has been achieved since this government started reforming child and family services in 2004. I am very fortunate to follow my colleague the Deputy Chief Minister, Katy Gallagher, in this portfolio. The long-term plans she put in place have guided a substantial reform in the territory over the last four years, culminating in the new Children and Young People Act 2008. And those plans have helped the ACT avoid the systemic problems that have plagued children and youth policy, especially child protection, in other jurisdictions.

But my task is to look to the future again; so we are busy developing a new young people's plan and a new children's plan. The children's plan and the young people's plan are important guides for the government as a whole. They articulate the government's commitment to children and families. As well as providing a common policy framework for the provision of services, they set guidelines for the practical implementation of services across government, non-government agencies and throughout the community.

All young people contribute to our community and the plans will reflect the diversity of the community and young people's lives. I hope young people will have an active say about the new plan; so I will be asking the Youth Advisory Council to play a central role in guiding the plan's development, along with other youth work bodies, including the Youth Coalition of the ACT.

We will take our time to get these plans right—looking at lots of evidence and listening to lots of people. And I have an open mind on where that research and consultation will lead. I hope new issues arise which I, as minister, might never have thought of—not just listening to young people but learning from them.

I can set out some key markers. I do want the children's plan to set clear benchmarks for success and how we know we are improving the health and wellbeing of children and young people. These will include birth weight and life expectancy at birth; reading, writing and numeracy, along with educational achievements; and levels of family support.

I want the new young people's plan to say more about life transitions, especially post-school transitions. There will be better guidance on wellbeing and safety and a greater focus on sustainable jobs and living. And I will be seeking a stronger alignment between the children's and young people's plans, with a focus on transition points in children and young people's lives. This alignment of policy planning will, in turn, help us cut duplication between services and identify gaps—long-term plans so that a year of action becomes a decade of achievement.

I have been talking about the important things the government is doing in children and youth—a year of action, listening, investing, delivering and a year of planning for the

future. But I know the government cannot do everything, and this is especially true in children and youth policy. In fact, sometimes the right thing to do is simply support the people in our city who are already doing the right thing.

I am determined not to lose sight of who really is in charge of children and youth policy in this city. It is not this government or this Assembly. Who is in charge? Canberra families, the mums and dads who are exhausted after tea and clear the kitchen table to help their kids with maths; separated parents meeting up at McDonald's on Saturday, handing over the kids and comparing notes on how they are doing; the uncle who takes the troubled teenage boy surfing and listens to him talk. They do more for kids than any government or any parliament ever can. But as a government we can give practical help to help all Canberra's children and young people—not just the challenging cases or the teen prodigies but every kid.

Let me give some examples that show just how wide ranging the government efforts are to support all Canberra children and youth. We are supporting child friendly planning of our city. The government will continue to incorporate the principles of child friendly planning into the future of our city. But what does that mean? It means improving the design of neighbourhoods to ensure children's safety without imposing on their enjoyment of the natural world; creating public spaces which encourage unstructured play; creating interesting streetscapes where children can walk and cycle safely; planning spots for families to relax and have barbeques near playgrounds and parks; extending child friendly spaces through our cities, shopping centres and local shops; improving children's connections with their community and neighbourhood—something that all kids can benefit from.

Parents tell me they are more worried about children's health than ever before. And young people tell me that obesity and eating disorders are amongst their greatest fears. So we are supporting healthy lifestyles for our kids through sport and recreation, firstly, through the Children's Physical Education Foundation. In 2008, the foundation provided over \$73,000 in grants to primary schools and sport and recreation organisations.

We are also supporting healthy lifestyles through the minister's physical activity challenge. Over 13,000 children and young people in 2008 participated in this challenge which required them to be active for at least 60 minutes a day, five days a week for 10 weeks. It was such a success that I am pleased to advise the challenge will be held again in 2009. I do look forward to being part of the challenge and I know that the children and young people of the ACT will respond. And it is something that all kids can benefit from.

Young people also never stop talking to me about the environment and about their plans to make a difference. So we are supporting them with new education and training opportunities for the green-collar jobs of the future. We can barely imagine some of the jobs that will exist in the future. Climate change will influence all sectors of our economy. Indeed, the Garnaut review estimated that more than 2.5 million green-collar jobs will be created over the next two decades—high-skill, high-wage jobs in sectors like construction, energy, transport and agriculture. We need to ensure that our kids are ready for the sustainable economy that they will live and work in.

In the ACT we are doing our part. Our schools are more sustainable than ever. CIT now offers courses and diplomas in renewable energy, ecology and environmental management and sustainability. The University of Canberra is introducing a sustainable building and construction course into a number of their degrees—something all kids can benefit from.

We also support a dads, children and play program which help dads with ideas support their son or daughter's development by playing with them—again, something all kids can benefit from. From child friendly planning to green-collar jobs, from healthy lifestyles to helping dads play—all this is practical help to all Canberra's children and young people.

We also provide practical support for children and young people right across the age range. I know that the evidence tells us that early intervention is the most effective way to help our children. Early intervention is morally right. But we cannot ask little children to help themselves. Early intervention is economically right, and as the Nobel Prize winning Chicago economist James Heckman puts it:

The most economically efficient way to remediate the disadvantage caused by adverse family environments is to invest in children when they are young.

That is good economics, good morality, good, progressive Labor policy.

In the past four years the government has worked resolutely in the area of early childhood services, investing in the health, development, education and wellbeing of young children; recognising the effectiveness of early intervention programs that focus on young children and responsive support to their families. It is this early intervention philosophy that drove the establishment of the groundbreaking child and family centres at Tuggeranong and Gungahlin. The child and family centres provide an integrated one-stop shop model of service, delivering universal and targeted services to families through purpose-built centres at Gungahlin and Tuggeranong. And we hope to expand these early intervention services further.

Our care and protection professionals are responsible for protecting children in extreme situations and trying to keep children out of those situations. It is not easy and sometimes it is traumatic, but it is what the community expects. Our care and protection professionals are doing a great job. I cannot begin to thank them enough. They know better than I what a tough job they do. They are special people. And as a community we are particularly privileged to have the support of so many care and protection professionals recruited from Ireland and the United Kingdom in the last few years.

I want to take the opportunity of this statement today to send two very simple messages to those special people: first, thank you. Thank you for moving your whole lives across the world to help our city's kids. Thank you. And secondly, sorry. Sorry you have been dragged through the mud by the puerile opposition politics of the past 72 hours. Sorry.

We have to help vulnerable children, and we have to help young people help themselves. How? First, we have invested in immediate needs. For example, we have undertaken to invest \$800,000 to support grandparents who provide care to children and young people. A further \$120,000 has been allocated for the development of support and services for Indigenous grandparents. We have made \$800,000 available to UnitingCare Kippax to provide early intervention, prevention and family support services for local families. We are committed to the establishment of two childcare centres in areas of high demand in the ACT.

Then we have paid particular attention to Indigenous children and young people. As members are aware, there is an over-representation of Indigenous children and young people in the child protection and youth justice system. To assist in addressing this, we are expanding the integrated service delivery to Aboriginal and Torres Strait Islander people, providing a total of more than \$2.4 million over four years.

We do our best for children with the most complex needs. The Office of Children, Youth and Family Support works in partnership with many community agencies, including the youth supported accommodation assistance program, Richmond Fellowship, Barnardos and Marymead. Together we do our best to manage actively and respond appropriately to young people with high and complex needs. For example, young people are placed with these organisations, which allows appropriate services to work intensively with young people over time. When it works, this can achieve real and sustainable change for the better in the behaviour of these young people.

The office is developing an out-of-home care framework to give better guidance to the professionals doing this difficult job. The framework will pay particular attention to what is known as therapeutic foster care. We are planning a pilot of therapeutic foster care. This is designed to meet the needs of a small number of children and young people with very high, complex needs—young people who will benefit from intensive treatment.

The framework will canvas other innovative options. These include a therapeutic outreach service and a dedicated facility providing short-term secure accommodation for one or two young people with significant complex needs. I look forward to announcing more details of our plans for out-of-home care following the budget.

We are driving reforms, especially by integrating services. And in this tough policy area it is too easy to be discouraged. So let me share with the Assembly a real success story, the integrated family support project. This project has been supporting 13 families who were known to be, or were at risk of, entering the statutory child protection system. I would like to tell you about one of these families.

This family is made up of a mother with three children under the age of eight years. Care and protection services had received five child protection reports in the two months prior to the family entering the project. Since this family came into the project, the government and community agencies have worked together to help this family stay together whilst making sure the kids are safe. The mother has had a lot of help to improve her ability to meet the children's needs, and for 10 months now not a single child protection report has been received about this family.

The integrated family support project demonstrates what we can achieve when caring professionals, public resources and innovative leadership come together to help vulnerable families help themselves. The earlier we intervene, the more we prevent, the better the outcome for individuals, families and the community as a whole.

We have also been very committed to helping every young person feel like they fit in. Students who are questioning their sexual identity or who identify with a particular sexual preference should get support. Student services programs offered in schools by school counsellors and youth workers make an important difference. Every high school has a pastoral care coordinator who assists other teachers in providing social and emotional learning to all students.

In turn, issues of identity can be sensitively addressed. School counsellors provide valuable support to young people who are trying to understand their own sexual identity. And through the new curriculum framework, all ACT schools examine sexuality, particularly looking at personal identity, sexual identity and relationships. Skills to enhance resilience—in particular, communication, negotiation, conflict resolution, problem solving and asking for help—are also included.

To further strengthen pedagogy, the education department currently offers professional learning for teachers in sexuality and relationships education. This is delivered with support from education officers at Sexual Health and Family Planning ACT. This professional learning helps teachers develop the skills and confidence to address current relationship issues within the classroom and across the school.

Extending beyond schools, we also fund youth agencies and services to deliver support through the youth support program. Here I would like to commend the work of the volunteers who deliver the Bit Bent youth community group. Bit Bent is a gay, lesbian, bisexual, transgender, intersex and questioning group that holds weekly gatherings at U-Turn Youth Services in Belconnen and Woden Youth Centre for young people aged 12 to 25. Volunteers contribute their time to facilitate the group and provide a safe, comfortable, pressure-free atmosphere. These volunteers give up their own time for a great cause, and I am sure every member of the Assembly joins me in thanking them.

In spite of these efforts, I remain concerned at the levels of homophobia in our schools and in our society. Further action is needed and will be delivered. And I am glad this is an area where there is now cross-party consensus. It is good to know that these programs are no longer politically controversial.

As I foreshadowed last December, what I have outlined today is a strong, progressive Labor agenda for children and youth—a year of action and a year of planning for the future. Our approach to children and youth, simply put, is practical help for all Canberra's children and young people—all kids, not just the challenging cases or the teen prodigies; everything from child friendly planning to green-collar jobs; from healthy lifestyles to helping dads play; helping the most vulnerable to help themselves; pressing ahead with early intervention; meeting immediate needs in our community; special care for Indigenous children and young people; doing our best for

children with complex needs; reforming services through better integration; helping every kid feel like they fit in. That is our agenda for children and youth.

I present the following paper:

Children and youth—Ministerial statement, 2 April 2009.

I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee Membership

MRS DUNNE (Ginninderra) (3.17): I move:

That Mrs Dunne be discharged from the Standing Committee on Administration and Procedure for the period 20 April to 4 May 2009 and that Mr Hanson be appointed in her place.

Just by way of explanation, there are scheduled meetings for the Standing Committee on Administration and Procedure during the time when I will not be in Canberra. I want to make sure that the Canberra Liberals participate fully in those things and I think it is just courteous to members to explain why we move these motions.

Question resolved in the affirmative.

Villages

Discussion of matter of public importance

MADAM ASSISTANT SPEAKER (Ms Burch): Mr Speaker has received letters from Ms Bresnan, Ms Burch, Mr Coe, Mr Doszpot, Mrs Dunne, Mr Hanson, Ms Hunter, Ms Le Couteur, Ms Porter, Mr Seselja and Mr Smyth proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Mr Speaker has determined that the matter proposed by Ms Hunter be submitted to the Assembly, namely:

The importance of the viability of villages in the ACT.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (3.19): In the lead-up to the 2013 Centenary of Canberra celebrations it should be noted that many of the villages that now form part of the ACT were in existence well before the birth of Canberra in 1913. Families from these villages of Hall, Tharwa, Pialligo, Stromlo and Uriarra, and the villages themselves, became a vital part of the new Canberra.

In this address I will focus on Hall, Tharwa and Pialligo. If we take Hall as the first example, its progress association itself is 105 years old and its school was opened in

1911. Descendants of those early families remain in the district and many of the original buildings are still standing.

Pialligo was an early site of the Aboriginal campsites where the Indigenous people hunted on the plains and fished the Molonglo River. From 1825 Pialligo became home to white settlers, who grazed sheep and cattle and planted vegetable gardens and orchards. Pialligo's role as a nursery, garden and farm is intimately tied to the early history of the area and the subsequent growth of Canberra. Its traditions are still carried on today with the supply of fresh produce in addition to seedlings and plants which green our city.

In 1862 Tharwa, where the road to Kiandra crossed the Murrumbidgee, became the first place within the present boundaries of the ACT to be proclaimed a township.

There are many of us in this place who can remember great family outings spent travelling to the rural villages within the territory, having picnics and visiting arts and craft shops, spending part of our wages or our pocket money on trinkets, enjoying the local food and bringing home treats prepared by the locals.

Sadly, those days are a thing of the past and not just because we are getting older. These villages are being left behind because a large part of our planning and policy framework for development in the ACT focuses on the urban areas of the city and leaves little room for villages. Let me be clear that we are not saying that we should neglect the urban areas. They are obviously a key part of what Canberra is today. However, this development should not be done in isolation or at the expense of regions beyond the urban fringe, in particular historic rural villages, which now need the support of the city to survive.

They say every cloud has a silver lining and the current economic climate may just present the opportunity to reinvigorate these rural villages and see the local tourism dollar invested across our territory as much as possible, ensuring the financial returns are available for all to share. As Canberra residents tighten their belts, they will be looking for short-term, low-budget breaks from the city, and day trips to these villages for lunch, shopping or the use of walking trails and picnic areas provide these opportunities.

A strategic plan developed in consultation with the enthusiastic village community groups, who often make sound representations to members in this place about issues affecting the future of their communities, would go a long way to re-establishing the link from urban to rural areas, contribute to the financial viability of the rural villages and ensure that money spent by local and interstate visitors remains in the ACT.

I note that in the Canberra spatial plan released in 2004 one of the key initiatives was:

The non-urban areas that form the rural setting of the city (outside of nature conservation areas) will be primarily used for sustainable agriculture (including forestry west of the Murrumbidgee River). Historical rural settlements form part of the rural setting

There is little else in the plan about our rural settlements yet there is reference on page 34 of the report that the spatial plan of necessity cannot treat Canberra as an island but must also consider the surrounding New South Wales region. It is also acknowledged in the report that cross-border issues relating to opportunities for improved economic development that the synergistic growth of Canberra and its region offers make it imperative that a regional approach to managing growth and change is attained.

However, ACT rural villages in the region continue to struggle to survive. In Tharwa, for example, the village is still feeling the impact of the bridge and school closure. In addition, the famous Cuppacumbalong craft centre and adjacent craft shops are closed, and what was a scenic tourist drive incorporating a number of the area's attractions is no longer popular. Now that the bridge is open again, the community may be able to attract more visitors down to Tharwa and catch people on their way to Namadgi national park.

Across the border, some rural villages are thriving; for example, Bungendore, Braidwood, Murrumbateman, Goulburn and Yass. These villages have a distinct advantage in attracting a substantial amount of regional revenue. In addition, they have very active residents and business owners working with local and state government to ensure their towns or villages have the features and facilities that attract interstate and regional visitors. For example, the Yass Valley Development Corporation was formed with the vision of creating "a diverse rural region that provides lifestyle, business and recreation choices, while sustaining our environment, history and community". The corporation promotes tourism, economic development, business development and expanding the membership of the corporation. Without this sort of structure and approach, it is easy to see where our villages are being left behind.

In the ACT we need a range of initiatives to assist local residents and community groups to lure the city dwellers and tourists to our villages. However, the residents of these villages cannot be expected to do this alone. The Greens believe the government should enact its commitment in the Labor-Greens parliamentary agreement by undertaking a consultative master planning process with villages, and implement the agreed outcomes. At a minimum the villages of Tharwa, Hall and Pialligo should be part of the government's tourism strategy.

The villages of the ACT have been under enormous pressure in recent times with the bushfires of 2003, the drought, school closures, roadworks near Pialligo and now the downturn in the economy. In the ACT Planning and Land Authority rural villages precinct code, released in March 2008, Pialligo is not even mentioned. The plan covers Hall, Stromlo, Tharwa and Uriarra only. The overall view of the government on Pialligo has been to support the airport expansion, solve road issues, chop down any tree in the way and not worry about what happens to historic Pialligo along the way.

The additional concern in relation to Pialligo is that the ACTPLA eastern broadacre study, which is being considered by the government, has nominated Pialligo as an area of interest for light industry development. This proposal alarmed the local community so much that they have drafted their own master plan to propose to

ACTPLA what elements they would like to keep in place. While we commend the residents for this work on their own master plan, really the drive to revitalise these villages should come through leadership from the government. Government should allocate to specific officers the responsibility of working with the smaller communities so that there is a clear understanding of their needs, the infrastructure required and development proposed. This would ensure proper consultation and consideration of all issues when government changes are being considered for the villages.

One means of doing this would be with the proposed celebrations for the Centenary of Canberra in 2013. These villages need to be not only part of the celebrations but also part of future activities for generations to come. The ACT Greens urge the Chief Minister, Mr Stanhope, and his cabinet colleagues, the Centenary of Canberra organisers and those entrusted with growing our city and region to listen to the pleas of community groups and residents from our local villages and to put forward a range of initiatives to revitalise our villages before it is too late.

It is important that we do not lose our links to where our European settlement and ongoing Aboriginal custodianship originated. The best way to do this is to devote time to planning for these areas, to promote local recreational facilities and to create tourism opportunities.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Indigenous Affairs and Minister for the Arts and Heritage) (3.28): The government welcomes this matter of public importance on the viability of villages in the ACT. The importance that the government attaches to viable villages is certainly evidenced, I think most starkly, by the lengths we went to in the wake of the 2003 fires to rebuild the three villages that were so severely impacted by those fires: Pierce's Creek, Stromlo and Uriarra.

But we went much further than that. We did not just seek to rebuild the villages. We ensured that what we rebuilt at the villages of Stromlo and Uriarra—and we were able to obtain approval from the commonwealth to rebuild—was truly sustainable. Villages that had been, in effect, small enclaves of entirely public housing were, through the vision that we pursued, to be transformed into viable and sustainable villages. It was, of course, and remains, a matter of some regret that the commonwealth, through the NCA, did not allow us to live up to that outcome at Pierces Creek that we sought to achieve at both Stromlo and Uriarra.

Nevertheless, our philosophy from the outset was clear. From an early stage, the government expressed its determination to rebuild the villages to contemporary standards so that the former residents could return if they wanted to do so and that new residents could consider buying into the rebuilt villages to enjoy a rural lifestyle.

In rebuilding Stromlo and Uriarra, the government took the opportunity to increase the size of the villages to maximise the use of infrastructure and services and thereby improve the viability of the villages from an economic, social and environmental perspective. The villages do now provide a lifestyle alternative for normal suburban

living. Canberrans do not have to cross the border to enjoy a rural residential lifestyle. It is available in the territory, most particularly at Uriarra.

Redevelopment of Uriarra village by the Village Building Co is proceeding well. When the village is complete, there will be 100 dwellings at Uriarra, of which 23 will be public housing. A separate contract has been signed with the Village Building Co for the reconstruction of the 17 dwellings that were lost at Uriarra in the January 2003 bushfires and work, I am advised, on those 17 buildings will be complete in the very near future. The existing dwellings will then be upgraded, once the work on those 17 new dwellings is complete.

The ACT government, through the Department of Disability, Housing and Community Services, and the Village Building Co are consulting closely with original residents about the redevelopment of Uriarra village. There is a community association at Uriarra, and the former school building is being used as a community facility. Significantly, community title has been adopted at Uriarra village. It is intended that the community will be responsible for the maintenance of the common property. That arrangement will, of course, help engender a greater sense of community and common ownership of the village.

The 17 dwellings that were destroyed at Stromlo have been rebuilt. The village will ultimately comprise 40 dwellings, of which 20 will be public housing. Some former residents have chosen not to return to Stromlo village. These properties have been allocated to former residents of rural properties that were destroyed or to suitable tenants from the Housing ACT waiting list. Three properties at Stromlo survived the 2003 fires. The two properties that are on territory land will be refurbished and upgraded, and work on one of the properties has been completed and a former resident has returned to that particular home.

While most Canberrans are suburban dwellers, the villages, including those being rebuilt after the fires, are a reminder certainly of our more bucolic past and indeed are a reflection or a mirror of Canberra before the decision to establish the national capital here. There will always be Canberrans who yearn for a more countrified existence, who desire a rural residential lifestyle that combines the best of both worlds. As anyone who has lived in a genuinely small town, as I have, knows, there are swings and roundabouts attached to any lifestyle choice. Governments govern for all of those who depend upon them, and that involves many balancing acts and many unpalatable decisions.

The closures of the Hall and Tharwa primary schools were two such decisions and they are decisions from which this government does not resale. Education dollars are finite. It is the duty of government to apportion them in a way that maximises the educational return. The education budget is not there to be used to support other aspects of the community's life, nor do I believe that most Canberrans would think it appropriate that governments allocate education dollars for the ulterior motive of, say, supporting a local shopping centre or creating passing traffic for local traders.

I have certainly no hesitation in acknowledging that the closure of the Hall and Tharwa schools has had significant impacts beyond the school gate. Those impacts

certainly are regrettable and I certainly understand and empathise with the distress that some of those changes have caused. None of us much likes change and adaptation. We do not like upheaval; we do not like uprooting; we do not like the normal, ordinary course of events to be affected or changed. But to move from a sense of regret to a position of asserting that we need, perhaps, to look more broadly in relation to some of our specific policy decisions and to some of the other outcomes really is a very significant leap for government.

I have had recent conversations, as I know have other members of the Assembly, most particularly with the progress association of Hall in relation to certainly community facilities, their maintenance, their enhancement, a future, a future life and an enhanced life and visibility most particularly of the Hall community. I have to say that I am most impressed by the energy, the focus and the determination by the Hall progress association to grasp the opportunities that their unique and beautiful village presents in terms of a new identity and a new future. I certainly do think that, out of the change that Hall certainly has had visited on it as a result of decisions that the government has taken, the community do understand that there are opportunities to be grasped and they are certainly looking to the government to work in partnership with them in relation to that.

I certainly commend the Hall and District Progress Association—I met with three of its membership, led by their president, Alastair Crombie, I think two or three weeks ago almost—for the most constructive discussions on issues that they wish to pursue, the sort of partnership and assistance that they believe the government might be able to provide in areas such as enhancement of the historic, heritage school facilities, landscaping, the potential for a men's shed, support for a heritage-listed museum, resurfacing of the tennis court and the games court and a refurbishment of perhaps the hub to some extent of Hall, namely, the area around the showground and the showground pavilion. Suffice it to say that I was most impressed by the attitude, the energy and the very positive focus of the progress association in relation to the need to identify, then to grapple with and grasp and to achieve, the opportunities that their particular situation presents them.

I might just say that the Department of Disability, Housing and Community Services is currently working with project manager Hindmarsh, who are in charge of all the new work at the former school sites, to further develop proposals that have been negotiated, most particularly with the Hall community broadly but most specifically with the progress association, in relation to enhancements that we have agreed to fund and support in Hall.

Another issue raised by Mr Crombie—and I am sure it has been raised by the progress association with other members—is the concerns on the mixed commercial-residential development on Victoria Street known as Victoria Square and some of the difficulties that have been experienced there as a result, certainly, of the attitude and actions of the developer. I am in discussion with the Minister for Planning in relation to the steps that the government can take in relation to that particular development. It really is a continuing aggravation for the residents and, quite understandably, a continuing aggravation for the residents of Hall.

The progress association also raised with me the concern of the Hall community about some road safety and safety issues, particularly for pedestrians, equestrians and cyclists, with the imminent construction of the extension of Clarrie Hermes Drive to the Barton Highway opposite Kuringa Drive and I have ensured that the Hall and District Progress Association are actively consulted by the engineering consultants that are doing the work in relation to that particular development. I understand absolutely the issues of concern to the Hall community and we do need to ensure that their concerns are acted upon.

Ms Hunter touched on the nature of our villages and the fact that the villages within our city—and there are four or five identifiable villages—do essentially constitute part of the city of Canberra in many respects and that our city reflects the social character of the villages that we have discussed.

One of the reasons that the ACT government was so determined to save the long-stay caravan park was that it recognised that that park was, for all intents and purposes, a village with all the social interdependence and characteristics that a village has. As we think of or consider the villages that we do have that constitute the city of Canberra, it is worth including in that description of village the Narrabundah long-stay caravan park. It is interesting that in that village, the Narrabundah village, there are no commercial facilities. There is no school. But it is certainly a village. It is certainly a community consistent with any of the descriptions that we would ever use for describing a village.

Then there is a range of urban villages that are part and parcel of the city—villages such as Urambi Village, established in Canberra in the mid-1970s, a village of 72 dwellings designed on shared community spaces and facilities, including a swimming pool, a ball court and community rooms. Urambi Village is, to all intents and purposes, a true village and broadens our understanding and the definition of what it is to be a village in terms of life and social interactions that we associate with the description. It is a true village not because it depends for its viability on a single element but because it is a genuine community.

A truly viable community is, of course, created through a combination of people and place. A village can thrive or a village might fail for a range of reasons. We can see this reality from many examples of sustainable villages that we have in our midst in the ACT. Our history as a city and our culture are bound up with the history of our villages, whether they started life as forestry camps or country towns or 1970s experiments in communal living.

There will always be a place for villages but they are living, evolving places not fixed in time. They are inhabited by families who choose to drive their children to school in the nearest suburb or who work late and buy their milk and bread at the big supermarket en route to home rather than patronising the local store. We cannot, of course, pledge to retain communities as they were at a single point in time and, of course, I think it is important that we understand that.

I came to Canberra from a village called Wolumla. I grew up in the country, as I have mentioned before. My life before Canberra actually was spent exclusively in villages,

the largest of which was 90. I understand deeply, having lived in nothing but a completely rural, isolated setting and, for my teenage years, in a village of 90 people, the nature of life, the social interactions and everything that it is that a village has to offer, the tides and ebbs, the waxing and waning, the sustainability and the steps that villages will go to to evolve as life evolves, moves and changes.

The stresses that have been mentioned and that we are aware of in relation to all of our villages, of course, are stresses that villages, towns and rural cities and communities deal with every day in the context of their sustainability, the quality of life that can be delivered as a result, most particularly, of their size and the nature and capacity of the community, the ability to sustain a commercial operation or a school.

In fact, my father was a school teacher. My father's first two schools were closed by the New South Wales education department. The first two schools I attended were closed whilst I attended them in rural New South Wales. These are issues that are part and parcel of a village or rural or community life.

MRS DUNNE (Ginninderra) (3.43): The ACT's villages of Hall and Tharwa, along with other areas, long precede, as Ms Hunter said, the larger city of Canberra and provide local residents and the surrounding districts with important community facilities and businesses and commercial services. They have been the focal point for local residents and the surrounding districts for education, church and social gatherings, sporting events, field days and a range of other activities that have become the tradition of small villages and hamlets around Australia.

These small villages often face considerable challenges due, in the main part, to their small population and their reduced general resources. Because of their rural nature, they face drought, economic downturns and an ageing population and even uncaring and unthinking government policies. But villages and their people are tough and resilient and are, in the truest sense of the word, communities. They care and support for each other and they pool their resources to ride out the threats, the uncaring policy actions and all the other issues that would threaten their sustainability and their viability.

Herein lies the message: villages and their people are tough and resilient. They are, in the truest sense, community builders. As large communities, through the government, a place like Canberra needs to understand exactly what a village community is, what its special needs are and what are the challenges of village life.

I would like to look at the village of Hall in my electorate. Here we have a village, as Ms Hunter has said, which considerably predates Canberra itself. It has changed much over the years, and this is one of its greatest strengths. While it is tucked away on the other side of the Barton Highway, with a population of fewer than 350, the village of Hall has well and truly put itself on the map.

It was the Hall village and its people and its progress association that started the national sheepdog trials which have gone from strength to strength. It is the home of the Hall village band. It is now famous for its Hall village markets, drawing huge crowds every time they are held. The heritage and history of Hall, one of the first

settlements in the area, is a very important part of Canberra's culture and I concur with Ms Hunter's sentiments about the importance of ensuring the participation of Canberra's rural villages in our centenary.

But what has the attitude of the Stanhope-Gallagher government been towards Hall? It was interesting that Mr Stanhope spoke at length about his recent meeting with the Hall progress association. Although I was not present at that meeting, the reports that I have received about that meeting have a somewhat different tenor to them and it was put to me that things have got to such a pass with the Stanhope government that they will promise almost anything for Hall, except the one thing that the Hall community want, which is to have their school reopened.

It was interesting that, over the years when the Hall school was there, the Hall parents and friends association begged for a school hall. Now that the school has been closed, the Stanhope-Gallagher government is offering them a hall on the site, which they do not particularly want.

The school closures are at the heart of what the Stanhope government has done to Hall. It is interesting that the Chief Minister said it is not part of the government's remit to maintain schools as a means of maintaining the viability of business in the area. Quite the contrary! When you look at the Education Act and you look at the decisions that need to be made and the things to be taken into account if you decide to close the school, one of the things that you have to do is look at the economic impact of closing the school. The economic impact of closing the Hall school was substantial and was completely and utterly disregarded by the Stanhope government.

Mr Stanhope: No, it wasn't.

MRS DUNNE: If you did not disregard it, it was completely and utterly unregarded and considered unimportant.

Mr Stanhope talked about the planning fiasco that is the running sore in the middle of Victoria Street in Hall, an issue which has been going on for some five or six years now. Every time I go to Hall, members of the progress association and other members of the community say, "Vicki, when can we get ACTPLA to fix this up?" This is a disgrace and it lands fairly and squarely at the feet of the Stanhope government. If Mr Stanhope has only just noticed that the government have a planning disaster in the middle of Hall, he has been a very remiss member. The whole process of dealing with this, or not dealing with this, is a considerable matter of contention for Hall.

It is true that Hall is a small village, with less than 0.1 per cent of Canberra's total population, and it is easy for governments to make callous decisions and take cynical attitudes towards villages like Hall. But Hall village and its people have weathered storms in the past and they will weather this storm as well. They will get over and move on from the money-grabbing planning bungles and callous school closures and will rebuild and revitalise the fabric of their village for the benefit of themselves and the neighbouring areas in both New South Wales and the ACT. It is a shame that the government does not understand the special social and economic needs of small villages and that it has caused them such distress in the last few years.

MS PORTER (Ginninderra) (3.50): I am pleased to be able to speak to this matter of public importance today. I have a particularly strong interest in the area, and I thank Ms Hunter for bringing the matter forward.

During the last term I was involved with members of the Hall and District Progress Association on a number of matters regarding the village of Hall. These matters range from the community facilities available to the development that the minister mentioned during his address on this matter, including the future of the school site and the future of the school museum.

I was approached by members of the Hall and District Progress Association and other residents. On Friday, 2 July 2006 I met with them regarding plans for the Hall school precinct and the use of the headmaster's cottage by the association and other community groups. I also had a number of meetings in the village with Alastair Crombie, president of the association, and other members of the Hall and District Progress Association. I had many conversations with Alastair regarding the association's concerns and ideas and on 11 August 2008 I facilitated and attended a meeting at the school attended by staff from the minister's office and officers of the Department of Territory and Municipal Services property group and members of the progress association and the parents and citizens association to discuss possible options for community facilities.

I also worked with the association to support their application for funds to progress an education program involving the school museum and, lastly, to support the establishment of a domain name for the Hall village website. I was pleased to be invited to be with the people of Hall on the occasion of the launch of the website, which is an up-to-date and fantastic tool that the Hall residents use to attract and inform visitors to the area.

Unfortunately, the heritage grant application, as is often the case with such applications, was not successful. I well know from my previous roles in many community organisations the disappointment that one feels when one's organisation's application does not get a guernsey. As we know, there are always many applications, and they cannot possibly all be accommodated.

Nevertheless, I continued to work with the association to support their further efforts to obtain other financial resources to enable this project to go ahead. I was pleased to be able to assist with both the domain name and to support the heritage grant and the plans for the museum's education program.

Regarding the school site, when I and the minister's advisers and departmental officers met with the association and representatives of the parents and citizens association on site during the last term, it was stated by all the Hall representatives that they needed to get back to me and the minister's adviser on the make-up of a steering committee that would work with the government to advance a master plan that would include plans for the Hall school site and the parkland adjacent to it. It was agreed that the school museum would remain and the headmaster's cottage would continue to be used by community groups in Hall. The department mentioned work

that needed to be done to ensure that any structures on the school site and adjacent parklands are safe.

Government representatives stated that they were anxious to meet with members of the steering committee when the Hall representatives had decided upon the make-up of that committee. Despite a number of attempts to ascertain when this group would be formed, Hall representatives were unable to provide this information. Unfortunately, the election overtook this process and the deliberations around the school precinct were unable to go ahead at that time. It was disappointing to me, and I am sure it was disappointing to the residents of Hall who wished to progress the matter further. However, as the Chief Minister has just said, discussions are now progressing. I am pleased that this is the case as I am sure that a plan of action will be formulated which will take us forward and help the village of Hall to remain a sustainable village into the future.

Along with the Chief Minister, I commend the association, in particular the president, Alastair Crombie, for his resilience and his willingness to come back after the election to seek to engage again. I also commend the members of the rural fire brigade in Hall. Many members of the brigade come from other suburbs in Canberra to supplement the members drawn from the village, and I thank them for that.

The ACT government has a history of supporting its villages, as was demonstrated after the 2003 fires when the government undertook to restore the Uriarra and Stromlo rural villages. In rebuilding these villages the government undertook best practices not only to revive the lifestyle that villages offer to residents but also to make these villages as sustainable as possible to ensure their future viability.

I was very pleased in the last Assembly to be a member of the Standing Committee on Planning and Environment that deliberated over the proposals that were brought before it regarding the restoration and redevelopment of these villages. As the Chief Minister stated, the village at Uriarra is currently being redeveloped from the original 23 properties to 100 homes. Similarly, the 17 homes destroyed in the fires at Stromlo village have been rebuilt and will be part of a village of 40 rural homes. This is very good news indeed, especially for those families wishing to return to those locations.

The Labor Party is committed to rebuilding these rural villages and ensuring their viability into the future. I have belonged to many small communities in my lifetime. One of those consisted of eight houses in what was called the Waterworks Cottages where my father worked. We lived within a settlement of eight houses with a fence around it. We had our own manager, our own orchard and our own places where the children played. Apart from going down to the shops in the town every now and again, and obviously going to school, we lived our lives in that small compound of eight houses.

I have also lived in many small communities in the Northern Territory in Arnhem Land. I do have a fondness for the village life and I know how people become very much attached to it. I missed it very much when I came to live in Canberra. In fact, I found living in an ordinary suburb quite strange and somewhat

threatening because of my previous experience, and also living in the village of Balgownie when I first moved to Australia from England.

I do trust that we will be able to work with the villages that we are very lucky to have within the borders of Canberra to help them to continue to have the lifestyle that they wish to have and to attract many visitors to their villages.

MR COE (Ginninderra) (3.57): Canberra and the ACT are often used synonymously when in actual fact, as we are aware, the ACT includes not just Canberra but a whole range of rural landholders, communities and villages. The ACT has many people who face the same regional and rural challenges, indeed opportunities, as those across the border in southern New South Wales.

The Ginninderra electorate includes two residential areas outside the district of Belconnen. One is the Gungahlin suburb of Nicholls and the other is the village of Hall. Hall has a proud history. The village takes its name from Henry Hall, one of the first landholders in the area. He purchased land in 1833 in what was then the Ginninderra shire. His homestead was named Charnwood and he owned land which included the suburbs where Dunlop, Fraser, Charnwood and Flynn are now built.

Hall was founded in 1882 and to this day continues to provide an invaluable role to the rural landholders surrounding the village as a retail and social centre. Unlike most of the ACT, Hall does not depend on government sector jobs. It is a dynamic community with self-starting, small businesses and enterprises that create opportunities for the younger generation.

It is worth looking at the history of the Hall primary school as a tribute to the pioneering dedication of those early settlers in the community and the ongoing dedication to unity of the community today. In a letter to the editor on 5 July 2006, Tony Morris recalls a story from the opening of the school. He recalls how the Hall and District Progress Association in 1906 volunteered to build the building and sought a teacher from the New South Wales government. The letter said:

If we obtain your permission to do so, we will proceed to build—
the school—
at once, as we can assure you we feel very strongly the wrong our children are
suffering by existing circumstances—
without a school—
and we are quite determined to remedy it in some way.

The New South Wales government agreed, but the ACT government did not, and before the school closure was announced in 2006 it was the longest continually operating school in the ACT. Whilst the community will remained, the bureaucratic won't prevailed, and the school was closed in 2006 as part of that horror budget the government said we had to have.

One of the particularly callous and heartless measures to come out of that budget was the closure of schools in villages in the ACT without consideration of the particular role these institutions played at the heart of these communities. The now-closed Hall primary school houses the Laurie Copping Museum—a recreated 1911 classroom. Laurie Copping OAM was a long-serving principal at the school. He showed a lifelong dedication to children's learning and was instrumental in setting up a museum. Since his passing, he has been sorely missed by the community.

This discussion of the school goes to the central theme of the MPI today—the viability of villages in the ACT. Of late, the village has gone through a tough time. The school has closed, the doctor's surgery has left and in addition to that ACTION does not service the area. Fortunately, Transborder, which is operated by Deane's Transit Group, provides a good service, taking students, workers and shoppers to Belconnen and Canberra City.

The previous Liberal government achieved quite a few things with the Hall community, including sealing the streets of the village and completing refurbishments of the showground and oval. Hall has a number of active community groups, including the umbrella organisation, the Hall and District Progress Association. The association has been active in many areas of late, including advocating to keep the Hall primary school open—an effort the Canberra Liberals supported—making submissions and giving feedback to ACTPLA and running what has to be one of the best community websites in the ACT—www.hall.act.au. I commend Alastair Crombie and his team for all the good work they do.

I am sorry to hear that the project to get a community bank for the village has been suspended, but I understand that it will be reconsidered every four months until it is viable. Raising the capital for such a venture during these uncertain economic times is quite difficult. I commend the steering committee for their work so far and hope that in the not too distant future the capital will be raised.

Villages in the ACT, including Hall, do not demand much from government. They do not expect to be excessively subsidised or use welfare as a substitute for hard work. All that villages in the ACT desire is a government that realises that suburban policy is not suited to rural villages and that their unique circumstances should be considered. The community rightly expect government to ensure that needs are met and aspirations can be realised. They expect that the ACT government would realise that a school can survive and flourish in a village like Hall and that the government should facilitate this.

We saw in the early 1900s what was achieved when a New South Wales government worked with the community, and I am disappointed that the ACT government cannot find the same willingness to work with our regional and rural communities. It is a cruel irony that the ACT government is supposed to be closer to the community than our New South Wales or federal counterparts, yet Macquarie Street in Sydney was more responsive to the concerns of Hall than is London Circuit here in Canberra. I hope the ACT government takes note of the importance of the viability of rural villages in the ACT and that government policy starts to reflect it.

MR SMYTH (Brindabella) (4.03): I rise to speak about Tharwa. Tharwa is the other well-known village in the ACT. Tharwa has suffered under the Stanhope-Gallagher government. Tharwa is a town that was left to its own devices on the eve of the fires in 2003. It had its bridge closed. There was that very sad accident as a consequence of the extra trip that had to be made by residents each day on a much longer route and we later found that the bridge did not have to be closed, that it could have been renovated and reopened much quicker. But that is the standard of capital works under the Stanhope-Gallagher government.

The devastating point in Tharwa's recent history, though, is the closure of the school. It was a special school. It catered not only for the kids in the area, the kids from the farms and from the village itself, but also for children from the surrounding suburbs in Tuggeranong, people who wanted their children in a smaller school or in a school with a slightly different attitude to schooling than will be found in the bigger suburban primary schools. They enjoyed that school. With the bridge closure and now the subsequent closure of the school itself, that is denied them.

This has had a tremendous impact on the village itself, on the economy of the village. You only have to talk to the local store holder, Mr Jeffery, to know what effect losing the school and having the bridge closed for a couple of years has had on his business and the services that have been able to be provided to the village. But Tharwa is resilient and I do not think the community will give up. They certainly have not given up, but they have to question their government's attitude to them and why it is that they have been the target and the victim of so much ill will from the Stanhope-Gallagher Labor government.

I think it is important that we understand the place of these historic villages in our history, as has been outlined by many on the value of Hall. Tharwa has a similar history for the southern parts of Canberra and, indeed, the school was always a focal point of that. It is where the community met well before modern transport existed. It is where the community met well before the creation of Canberra and particularly well before the creation of Tuggeranong. In that regard the school has been at the hub of Tharwa as a community. That hub is now denied them and one can only wait long term to see what happens with the future of Tharwa. It is sad to lose it. Cuppacumbalong is there.

It is sad to lose the sense of village that has occurred because of the events, but through things like the rural fire brigade unit stationed there at Tharwa you see that the community spirit is alive. I will certainly keep a watch on it. I know the residents themselves are waiting to see how the community itself will develop. I think we all should be interested in that—the history and the anchor to our past that Tharwa provides, and indeed Hall provides as well in the north—because if we lose that, if we lose a sense of where we have been, we will be worse off in the places where we may end up as a community. Tharwa is a very important village, particularly to southern Canberra.

I thank Ms Hunter for bringing on this matter of public importance today. In terms of all the villages, the Uriarra settlements, and indeed places like Urambi Village, which

are unique—and there are other places, other streets, in the ACT that perform the functions of villages and have their own unique local environment—we need to protect them because they are important to the way we see ourselves, and indeed the way in which they influence other parts of the community.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): The discussion is concluded.

Advertising—Select Committee Membership

MADAM ASSISTANT SPEAKER (Ms Le Couteur): I have been notified in writing of the following nominations for the membership of the Select Committee on Campaign Advertising: Ms Burch, Mr Coe and Mr Rattenbury.

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

That the Members so nominated be appointed as members of the Select Committee on Campaign Advertising.

Estimates 2009-2010—Select Committee Membership

MADAM ASSISTANT SPEAKER (Ms Le Couteur): I have been notified in writing of the following: nominations for the membership of the Select Committee on Estimates 2009-2010: Ms Le Couteur, Ms Bresnan, Mr Smyth, Mr Seselja and Ms Burch.

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

That the Members so nominated be appointed as members of the Select Committee on Estimates 2009-2010.

Planning—subordinate legislation Ministerial statement

Debate resumed.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (4.08): I will conclude my comments shortly on this matter. I made a large number of comments before the suspension for lunch. The ministerial statement put forward by the minister outlines an important range of matters to do with administration in the territory. I note Mr Seselja's comments in response where he sought to try and tar the work of the ACT planning authority with very poor practices in place in places such as Wollongong City Council. I think Mr Seselja fails to understand the point that the minister and indeed the Labor government have sought to make, and that is that we should not see elected officials involved in decisions on individual development applications unless there are exceptional circumstances.

The development assessment forum best practice model for planning legislation in Australia, which was a COAG forum and also involved industry in identifying best practice for planning legislation in Australia, identified two key elements. The ACT is the only jurisdiction to have implemented those two key elements. The first key element is the development of a track-based system where different types of development application are fed into different tracks depending on the nature of the development proposed, and of course we have done that through the implementation of the new Planning and Development Act.

The second element of the DAF best practice model, and indeed in many respects an equally important element, is the provision of a system where assessment of development applications, consistent with that track-based system, is done by expert planners and determination is made by expert planners at arm's length from government. We are the only jurisdiction in the country that has such a system as the norm. Every other jurisdiction at local government level sees local councillors making these decisions with all the risks in place, as the Wollongong City Council example highlights. So that is the point the government seeks to make in this debate. We have made it in relation to the moves to politicise development assessment by the Liberal Party in relation to proposals such as the data centre and power generation proposal near Tuggeranong and a range of other projects that the opposition have sought to highlight from time to time. It is in those circumstances that we believe there are real and credible reasons why we need to ensure that this assessment process is undertaken by independent planning officials at arm's length from government. The establishment of the ACT Planning and Land Authority was an important step in achieving that goal.

The ministerial statement made by the minister outlines not just Labor's record but future directions. There are some important challenges moving forward. The greater integration of land use and transport planning is absolutely essential to address sustainability questions in our city, and some very detailed work is currently occurring in the planning authority to provide a better informed basis to deal with those sorts of matters.

I have mentioned already the exciting and innovative work that is occurring at locations such as East Lake, but of course there is also important planning work happening in Molonglo itself in terms of the sustainability of that new urban settlement area. More work needs to occur in relation to the intensification of residential activity, and indeed mixed use activity, at a range of locations across the city—in our city centres, in our town centres and in other locations. The ministerial statement very much does point to the future. (*Time expired.*)

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (4.13), in reply: In closing the debate, I thank members for their contribution. It is indeed an exciting time for reform in the planning portfolio, and I certainly welcome the constructive comments. There were a few that were made principally by you, Madam Assistant Speaker Le Couteur. I do not think Mr Seselja's contribution really added much to the public policy debate, but I have come to expect

that from the Leader of the Opposition. So thank you to all of those who did contribute. We look forward to an exciting reform agenda in the planning portfolio.

Question resolved in the affirmative.

Adjournment

Motion by **Mr Corbell** proposed:

That the Assembly do now adjourn.

Unit titles

Arts events

MRS DUNNE (Ginninderra) (4.14): Yesterday in question time Mr Corbell was asked why an officer from the Office of Regulatory Services would tell a unit owner that the government had no intention of publishing or distributing information to unit owners in the form of an information book on the changes to the Unit Titles Act. Mr Corbell responded that he would ensure that all officers are aware of the government's position on this matter in future.

My office spoke to the unit owner who raised this matter with us, and he added another piece of information, which I would like to pass on to the government for them to deal with appropriately. During the conversation that my constituent had with the Office of Regulatory Services, he was advised that really he should be speaking to ACTPLA about matters relating to unit titles, because they had carriage of those matters. That is not my understanding; I thought that the consumer protection parts of the Unit Titles Act rested fairly with the Attorney-General's department. My constituent had his call transferred to ACTPLA, who indicated that they had no idea what he was talking about.

I suggest to both ministers present that they might wish to ensure that both ACTPLA and the Office of Regulatory Services are aware of what is happening in relation to unit titles and the commitments that have been made. And perhaps other agencies that deal with unit owners, such as ACAT, should be brought up to speed with what the government has committed to doing in relation to the Unit Titles Act.

In the last little while, Madam Assistant Speaker Le Couteur, I have seen you around the traps at a large number of arts functions, including last night. I thought that it was time to pay particular tribute to the great diversity of arts experiences that we can have in the ACT. In the last little while in my capacity as the shadow minister for arts, I have been trying to get to as many events as possible.

On a couple of occasions, I have had great pleasure in visiting the M16 gallery, which is a gallery for mainly emerging artists. One of the exhibitions that I attended there was for artists with a disability. More recently, I attended what might be called a more mainstream exhibition of their resident artists, those who have studio space there. M16 provides a great stepping-off point for people who are often fairly recently out of art school. The diversity and quality of the work is extraordinary. I must pay tribute to the staff and administration at M16 for providing such a fantastic service. One of the

great institutions in the Canberra arts organisation has to be Megalo. I spent some time at Megalo recently, visiting the facilities and taking in some of the exhibitions.

In the performing arts, there has been a great breadth of experiences—from international professional theatre in the form of the Canberra Theatre's opening event for 2009, *The 39 Steps*, with its extraordinary physical theatre, to a more modest amateur production of *The Pink Panther* in the Courtyard Studio at the Canberra Theatre Centre. One of the events of the Canberra Festival was *Jacques Brel is Alive and Well and Living in Paris*, which was a great nostalgia boost for me. It took me back to undergraduate days as a French student. Jacques Brel was the great passion of my French professor, and it brought back the Gauloise smoking period of 30 years or more ago.

I really do need to pay tribute to the Canberra Symphony Orchestra and their extraordinary serenade concert last night. It was a great coup for the Canberra Symphony Orchestra to have as the soloist for this performance someone who is perhaps, I understand, the only non-Russian ever to have won a Tchaikovsky violin competition and who came to Canberra solely to perform in this series of concerts. It is a great coup for the Canberra Symphony Orchestra and the extraordinary work that they do on very insubstantial amounts of money. We are great beneficiaries. The concert last night was a great relief after a hectic sitting day—especially the Brahms, which had a new touch that I had never experienced before.

I commend those organisations and many other arts organisations in the ACT for their extraordinary contribution to our life.

Schools—enrolments

MR BARR (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (4.19): The release of the school census data this week has prompted some interesting responses from community spokespeople—including, I might add, the most interesting comment that I have seen in a while from an education spokesperson for a political party; that came from Mr Doszpot.

Mr Doszpot has reacted to the school census in a thundering media release accusing me of using the school census as a point-scoring exercise. Mr Doszpot has reacted to that census by stating that the increase in enrolments in public schools through the 2009 census is an increase of 0.001 per cent. I can advise that this is incorrect. My staff have calculated that an increase of 0.001 per cent in ACT government schools would be an increase of about one-third of a student. They were not able to calculate which third, but I am advised that for Mr Doszpot's calculations to be correct the population of ACT government schools would need to be nearly five million students.

I am also advised that Mr Doszpot says that I closed 23 schools in 2005. Mr Doszpot, like me, was not a member of the Assembly in 2005, so—

Mr Stanhope: Would you like me to check?

MR BARR: He might care to go back and have a look at the historical records. It is incorrect. One school closed at the end of 2005, and that was Ginninderra district high

school, which has now been replaced by the Kingsford Smith school.

I am also advised that Mr Doszpot's press release betrays a confusion in the usage of the words "affectively" and "effectively". For Mr Doszpot's reference, I am happy to take him through the references of *Fowler's Modern English Usage*, Partridge's "Usage and abuse of the English language" and Gower's *Complete Plain Words*. But I can advise Mr Doszpot that if he goes to a general dictionary he will find that the word "effect" can be found in any standard dictionary between "education" and "error".

On the Move

MR COE (Ginninderra) (4.21): Today I rise to pay tribute to a group of people who are working hard for their community at Belconnen. Churches play a vital role in our community and perform much-needed care and outreach work. Churches and other community groups deliver welfare services that not only do governments not provide but often governments could not provide even if buckets of money were thrown at the issues. There can be no price or budget allocation for the genuine care, friendship and fellowship that so many churches provide to those in need of support in our community.

On the Move is a joint venture of a number of Belconnen churches and the Scripture Union to meet and care for people who they would otherwise not come across. For whatever reasons, many people cannot make formal church services but still desire to contact their church in some form. Through On the Move, these people will be able to meet with people from the churches in a more informal setting.

From yesterday, Wednesday, 1 April, through until tomorrow, Friday, 3 April, at Margaret Timpson park opposite Belconnen Mall, On the Move will be set up with tents, barbecues, tables and chairs to pray together and to have a lunchtime barbecue with those passers-by in Belconnen who want to join them. I hope to meet On the Move participants when I visit at lunchtime tomorrow.

There are many churches that support this initiative. Without their commitment, this may never have been able to go ahead. I would like to thank Belconnen Baptist Church; Belconnen Community Church; Canberra International Church; Canberra Chinese Christian Church; Capital Bible Church, Hawker; Christ Church Anglican, Hawker; Crossroads Christian Church; Holy Cross Lutheran, Belconnen; NationsHeart Christian Community; North Belconnen Baptist Church; St James Anglican, Holt; and St Paul's Ginninderra Anglican, Spence. I apologise if I have missed any churches there. In addition to those churches, the Scripture Union ACT, Youth with a Mission and CLC Christian Bookworld support the initiative.

I understand that Reverend Michael Bain from St Paul's Ginninderra Anglican and Tim O'Neill, a local doctor, were crucial in bringing this team together; and special thanks should go to them. Once again, I thank the members of these churches for their selfless dedication to the initiative and I wish them well.

Question resolved in the affirmative.

The Assembly adjourned at 4.24 pm until Tuesday, 5 May 2009, at 10 am.

Answers to questions

Environment—energy efficiency ratings (Question No 33)

Ms Le Couteur asked the Attorney-General, upon notice, on 10 February 2009:

- (1) How many energy efficiency rating audits has the Department of Justice and Community Safety undertaken on residential homes.
- (2) How many of those ratings outlined in part (1) were found to be overstated.
- (3) What proportion of new house energy efficiency ratings are audited.

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

The Department of Justice and Community Safety is not responsible for energy efficiency rating audits on residential homes. The Office of Regulatory Services ensures that advertisements for the sale of homes contain an energy efficiency rating.

Energy efficiency rating audits are the responsibility of the ACT Planning and Land Authority. In order for the Member to be appraised of these processes she may wish to approach the Minister for Planning to seek a briefing.

Education—literacy and numeracy (Question No 41)

Ms Hunter asked the Minister for Education and Training, upon notice, on 11 February 2009:

- (1) In relation to the National Assessment Program Literacy and Numeracy (NAPLAN) tests undertaken by year 3, 5, 7 and 9 students in the eight States and Territories in 2008, do the NAPLAN results provide a comprehensive basis for comparing the performance of the education systems of the eight States and Territories.
- (2) Is the Minister aware of the Victorian Education Minister's claim on 15 September 2008 that the maiden NAPLAN Summary Report on achievements in reading, writing, spelling, grammar and punctuation, and numeracy ranked Victoria top of the class with NSW and the Australian Capital Territory.
- (3) Has it been brought to the Minister's attention that (a) in terms of mean scale score NAPLAN results, the ACT ranked (i) third, behind NSW and Victoria, in the year 3 writing component, (ii) third, behind NSW and Victoria, in the year 3 spelling component, (iii) second, behind Victoria, in the year 3 grammar and punctuation component, (iv) second, behind Victoria, in the year 3 numeracy component, (v) third, behind Victoria and NSW, in the year 5 writing component, (vi) third, behind NSW and Victoria, in the year 5 spelling component, (vii) second, behind Victoria, in the year 5 grammar and punctuation component, (viii) third, behind Victoria and NSW, in the year 5 numeracy component, (ix) fourth, behind Victoria, NSW and South Australia, in the year 7 writing component, (x) second, behind NSW, in the year 7

spelling component and (xi) third, behind Victoria and South Australia, in the year 9 writing component, (b) in terms of best estimated percentages of student with NAPLAN results at or above national minimum standards, the ACT ranked (i) third, behind Victoria and NSW, in the year 3 reading component, (ii) third, behind NSW and Tasmania, in the year 3 writing component, (iii) third, behind NSW and Victoria, in the year 3 spelling component, (iv) third, behind Victoria and NSW, in the year 3 grammar and punctuation component, (v) fourth, behind NSW, Tasmania and Victoria, in the year 3 numeracy component, (vi) second, behind NSW, in the year 5 writing component, (vii) third, behind NSW and Victoria, in the year 5 spelling component, (viii) second, behind Victoria, in the year 7 writing component and (ix) second, behind Victoria, in the year 9 writing component.

- (4) Does the Minister acknowledge that the ACT's significantly higher socio-economic status, than that of Victoria and NSW overall, leads to the expectation that ACT students would rank higher on average in national literacy and numeracy assessments;
- (5) How does the Minister reconcile his comments that the ACT continues to have the best education system in Australia given the ACT systems' apparent underperformance relative to the Victorian and NSW systems.

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

- (1) With the introduction of national literacy and numeracy testing through the National Assessment Program Literacy and Numeracy (NAPLAN), there are now improved data sets to compare performance across jurisdictions.
- (2) Yes.
- (3) (a) By taking into account confidence intervals, the ACT had the highest or the equal highest mean scores across reading and numeracy for years 3, 5, 7 and 9. The ACT also had the highest or the equal highest mean scores across grammar and punctuation for years 5, 7 and 9; spelling years 7 and 9; and writing year 3.
- (b) By taking into account confidence intervals, the ACT had the highest or the equal highest percent of students at or above the national minimum standard in Australia across reading, numeracy, writing and grammar and punctuation for years 3, 5, 7 and 9. The ACT also had the highest or the equal highest percent of students at or above the national minimum standard in spelling for years 7 and 9.
- (4) Overall socio-economic status is only one of a number of possible influences on student performance. Other factors affecting educational performance include teacher quality, class sizes and learning environment.
- (5) The strong performance of ACT students is demonstrated by results in NAPLAN, the Programme for International Student Assessment (PISA), the National Assessment Program – Information and Communication Technology (NAP-ICT) and the National Assessment Program – Civics and Citizenship (NAP-CC):

NAPLAN

 - ACT students achieved the highest or equal highest mean scores across reading and numeracy for years 3, 5, 7 and 9; grammar and punctuation for years 5, 7 and 9; spelling years 7 and 9; and writing year 3
 - ACT had the highest percentage of students in the top two bands compared to other states for reading at year 3, 5, 7 and 9; in grammar and punctuation at years 5, 7 and 9; and numeracy at year 9

- ACT female students are amongst the best performing cohort across Australia at years 5, 7, and 9 in reading, and equal highest in all other assessments with Victoria and NSW
- At all year levels in reading, a greater percentage of ACT male students achieved in the top two bands compared to males in other states

PISA

- ACT students are performing consistently better than Australian students and OECD students in reading, mathematical and scientific literacies. The average achievement scores of students in the ACT is the highest in Australia across the 2000, 2003 and 2006 assessments.
- In 2006, around 70% of ACT students achieved above the OECD average in each of the three literacy domains, compared to the national average of around 62%

NAP-ICT

- ACT year 6 had the highest mean score and the greatest percentage of students at or above the proficient standard in the latest reported test (2005) which was statistically the highest with NSW, Victoria and South Australia
- Similarly ACT year 10 students had the highest mean, which was statistically better than Tasmania, Western Australia and Northern Territory.

NAP-CC

- In the 2007 civics and citizenship test ACT year 6 and year 10 students' results showed they were not statistically different to New South Wales, who had the highest mean score.

Roads—resealing costs (Question No 56)

Mr Coe asked the Minister for Transport, upon notice, on 12 February 2009:

- (1) In relation to the resealing of roads with chip seal as opposed to hotmix, what is the (a) cost per kilometre and (b) noise impact of each material.
- (2) What is the safety impact of each material for cyclists and pedestrians.
- (3) What is the impact of the loose gravel as a result of the use of chip seal.

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

1. a) The average cost for the 2008/09 reseal program was \$6.76/ square metre for 'chip seal' and \$45/ square metre for 'hot mix'.
- b) The generation of noise is not solely dependent on surfacing. It is influenced by a number of other road and traffic characteristics. In general a chip seal may initially be 4-6 dB noisier than asphalt and within 12 months of traffic use, this difference reduces to 1- 2 dB.
2. Both surfacings provide adequate safety for cyclists and pedestrians.
3. There is no loose gravel at the completion of the application of a chip sealing process, the stones have either been compacted into the road surface or swept up as part of the clean up process.

**Public service—travel
(Question No 73)**

Mrs Dunne asked the Attorney-General, upon notice, on 12 February 2009:

- (1) How much did the Department of Justice and Community Safety (JACS) spend on travel including itemised amounts for airfares, accommodation and travel allowance for the 2007-08 financial year.
- (2) What proportion of travel was domestic as opposed to international.
- (3) Did any officers from JACS undertake international travel during the period listed in part (1); if so, what was the purpose of the trip and how much did each trip cost.
- (4) What proportion of airfares were for business or first class travel as opposed to economy.
- (5) What proportion of trips were on Qantas as opposed to Virgin Blue and other airlines.
- (6) Does JACS have a scheme where frequent flyer points accrued on departmental travel are used to help meet the costs of future travel; if so, what is the level of participation.

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

- (1) The Department of Justice and Community Safety spent approximately \$537,429 on airfare, \$197,863 on accommodation and \$155,073 on allowances in 2007-08. These figures are GST exclusive and do not include the Legal Aid Commission, the Independent Competition and Regulatory Commission or ACT Corrective Services.
- (2) Approximately 70% of the airfare and accommodation expenditure was for domestic travel.
- (3) Officers from the Department of Justice and Community Safety did travel overseas during 2007-08. A summary of the trips are as follows:

Trip	Cost (airfare and accommodation)
United Kingdom – Study of CCTV Systems and Community Policing	\$12,610.83
New Zealand – Standing Committee of Officials of Consumer Affairs	\$1,840.39
New Zealand – Council of Australian Registrars' Meeting	\$2,664.18
New Zealand – Ministerial Council on Consumer Affairs and Standing Committee of Officials of Consumer Affairs	\$3,094.55
Legal Matter	\$27,146.29
Legal Matter	\$3,309.51
Vancouver – International Society for Reform of Criminal Law Conference	\$9,188.51
New Zealand – DPP Conference	\$1,944.26
New Zealand – Asia Pacific Privacy Authority Forum	\$1,804.45
New Zealand – National Conference Australian and New Zealand Insurance Law Association, National Common Police Services and Ministerial Council for Police and Emergency Management – Police Senior Officers Group Meetings	\$6,391.46

New Zealand – Ministerial Council for Police and Emergency Management – Police Meeting	\$1,355.88
New Zealand – Strategic Leadership Program	\$2,571.78
Legal matter	\$123,345.63
Finland – undertake pre-delivery inspections and specialist maintenance training for the new Bronto Telescopic Ladder Platform	\$12,534.51
Samoa – South Pacific Conference of Youth Courts	\$2,950.43
Ireland – International Society for the Reform of Criminal Law 22nd International Conference	\$4,130.92
Tonga – 17th Pacific Judicial Conference	\$3,697.08
Norfolk Island – Court Duties	\$1,717.00

- (4) Approximately 13% of the airfare expenditure was for travel on business class.
- (5) The majority of trips were with Qantas.
- (6) The Department does not pay for staff to belong to a frequent flyer program. If an officer pays for membership privately, the department's Travel Policy states the frequent flyer points accrued from departmental travel must be used for future official travel.

Schools—class sizes (Question No 78)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 25 February 2009:

How many classes in each ACT government high school and college, by name, (a) are below, (b) are above and (c) have 21 students.

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

The Government is implementing measures to lower class sizes to an average of 21 in primary and high schools and to an average of 19 in colleges.

ACT public high schools and colleges are listed below with information on class sizes sourced from the public school record keeping database, MAZE, on 26 February 2009.

In relation to combined schools, the number of classes relates only to the high school and college classes. Class sizes may change on a daily basis as students move in and out of classes or between schools.

(a)

Classes in ACT Public Secondary Schools	
School	Number of Classes <21
Amaroo P-10 School	31
Alfred Deakin High School	63
Belconnen High	71
Caroline Chisholm P-10 School	97
Calwell High School	56

Campbell High School	49
Canberra High School	88
Gold Creek P-10 School	23
Kaleen High School	7
Kingsford Smith School	0
Lanyon High School	9
Lyneham High School	91
Melba Copland Secondary School (High School Campus)	84
Melrose High School	82
Stromlo High School	74
Telopea Park School (Senior Campus)	73
Wanniassa School (Senior Campus)	46
The Canberra College	173
Dickson College	136
Erindale College	93
Hawker College	84
Lake Ginninderra College	96
Lake Tuggeranong College	205
Melba Copland Secondary School (College Campus)	105
Narrabundah College	121
NB: Classes include Learning Support Units, Learning Support Centres, Autism, ESL and Pastoral Care classes. Pastoral care classes may be from 10 -20 minutes a day only.	

(b)

Classes in ACT Public Secondary Schools	
School	Number of Classes >21
Amaroo P-10 School	79
Alfred Deakin High School	164
Belconnen High	142
Caroline Chisholm P-10 School	92
Calwell High School	87
Campbell High School	125
Canberra High School	113
Gold Creek P-10 School	97
Kaleen High School	113
Kingsford Smith School	5
Lanyon High School	106
Lyneham High School	203
Melba Copland Secondary School (High School Campus)	140
Melrose High School	162
Stromlo High School	122
Telopea Park School (Senior Campus)	127
Wanniassa School (Senior Campus)	56
The Canberra College	91
Dickson College	75
Erindale College	118
Hawker College	115
Lake Ginninderra College	92
Lake Tuggeranong College	78
Melba Copland Secondary School (College Campus)	16
Narrabundah College	122
NB: Classes include Learning Support Units, Learning Support Centres, Autism, ESL and Pastoral Care classes. Pastoral care classes may be from 10 -20 minutes a day only.	

(c)

Classes in ACT Public Secondary Schools	
School	Number of Classes =21
Amaroo P-10 School	1
Alfred Deakin High School	11
Belconnen High	4
Caroline Chisholm P-10 School	4
Calwell High School	11
Campbell High School	8
Canberra High School	3
Gold Creek P-10 School	1
Kaleen High School	4
Kingsford Smith School	0
Lanyon High School	1
Lyneham High School	26
Melba Copland Secondary School (High School Campus)	17
Melrose High School	11
Stromlo High School	14
Telopea Park School (Senior Campus)	14
Wanniassa School (Senior Campus)	11
The Canberra College	18
Dickson College	32
Erindale College	11
Hawker College	10
Lake Ginninderra College	14
Lake Tuggeranong College	12
Melba Copland Secondary School (College Campus)	4
Narrabundah College	15
NB: Classes include Learning Support Units, Learning Support Centres, Autism, ESL and Pastoral Care classes. Pastoral care classes may be from 10 -20 minutes a day only.	

As at 26 February 2009, Kingsford Smith and Melba Copland (High School Campus) had been unable to enter their data in MAZE due to technical issues. These schools were contacted directly and their data incorporated.

Schools—after school care (Question No 80)

Ms Hunter asked the Minister for Education and Training, upon notice, on 25 February 2009:

- (1) Which ACT government schools provide (a) before and (b) after school care.
- (2) Why are some schools able to offer these services and not others.
- (3) Does the ACT Government record any statistics around use of these services; if so, can the Minister provide the most recent statistics.

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

- (1) (a) The following 33 ACT public schools provide before school care programs:

- Amaroo School
- Kingsford Smith School
- Wanniasa School
- Telopea Park School
- Calwell Primary School
- Campbell Primary School
- Charles Conder Primary School
- Duffy Primary School
- Fadden Primary School
- Florey Primary School
- Forrest Primary School
- Garran Primary School
- Gilmore Primary School
- Gordon Primary School
- Harrison Primary School
- Hawker Primary School
- Hughes Primary School
- Macgregor Primary School
- Maribyrnong Primary School
- Mawson Primary School
- Miles Franklin Primary School
- Macquarie Primary School
- Monash Primary School
- Ngunnawal Primary School
- North Ainslie Primary School
- Palmerston Primary School
- Red Hill Primary School
- Richardson Primary School
- Theodore Primary School
- Turner School
- Wanniasa Hills Primary School
- Weetangera Primary School
- O'Connor Cooperative School

(b) The following 55 ACT public schools provide after school care programs:

- Amaroo School
- Gold Creek School Junior
- Kingsford Smith School
- Wanniasa School
- Black Mountain School
- Telopea Park School
- Ainslie School
- Aranda Primary School
- Arawang Primary School
- Bonython Primary School
- Calwell Primary School
- Campbell Primary School
- Chapman Primary School
- Charles Conder Primary School
- Charnwood-Dunlop Primary School
- Curtin Primary School
- Duffy Primary School
- Evatt Primary School
- Fadden Primary School

- Farrer Primary School
- Florey Primary School
- Forrest Primary School
- Fraser Primary School
- Garran Primary School
- Gilmore Primary School
- Giralang Primary School
- Gordon Primary School
- Gowrie Primary School
- Harrison Primary School
- Hawker Primary School
- Hughes Primary School
- Kaleen Primary School
- Latham Primary School
- Lyneham Primary School
- Macgregor Primary School
- Majura Primary School
- Maribyrnong Primary School
- Mawson Primary School
- Miles Franklin Primary School
- Macquarie Primary School
- Monash Primary School
- Mt Rogers Primary School
- Ngunnawal Primary School
- North Ainslie Primary School
- Palmerston Primary School
- Red Hill Primary School
- Richardson Primary School
- Taylor Primary School
- Theodore Primary School
- Torrens Primary School
- Turner School
- Urambi Primary School
- Wanniasa Hills Primary School
- Weetangera Primary School
- Yarralumla Primary School

- (2) It is the decision of the school and community to run a school age care program. This decision is dependent on demand, available space and facilities. School age care programs must be licensed and able to meet the ACT Childcare Services Standards. Individual school Parents and Citizens' Associations may choose to operate the school age care service, however many schools opt to engage a community service provider such as the YMCA or the YWCA to run the school age care program.
- (3) The Australian Government through the Child Care Benefit and Child Care Management System has data on the utilisation of all school age care programs. The ACT Government does not hold information on the specific utilisation in individual ACT public schools, however we do have information on the number of licensed places at each service.
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**Education and Training, Department—programs
(Question No 85)**

Ms Hunter asked the Minister for Education and Training, upon notice, on 26 February 2009:

Can the Minister provide copies of all feedback received on the Department of Education and Training programs conducted at (a) Birrigai and (b) Jerrabomberra wetlands for the years (i) 2006, (ii) 2007 and (iii) 2008.

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

- (a) Birrigai at Tidbinbilla
 - (i) In 2006 there were 100 school visits bringing 5815 students to the centre.
 - (ii) In 2007 there were 98 school visits bringing 5590 students to the centre.
 - (iii) In 2008 there were 86 school visits bringing 4898 students to the centre.
- (b) Jerrabomberra Wetlands
 - (i) In 2006 there were 47 school visits bringing 1799 students to the Wetlands.
 - (ii) In 2007 there were 82 schools visits bringing 3173 students to the Wetlands.
 - (iii) In 2008 there were 64 school visits bringing 2391 students to the Wetlands.

Following visits, schools are asked to evaluate their experience across a range of categories including pre-visit information, visit content, learning, enjoyment, age appropriateness, equipment/materials and facilities. The results are not collated into a reporting format, however are used by staff to reflect on the services provided and assist with the program review process. In general, there is a strong level of satisfaction for the programs conducted at both sites.

**Narrabundah primary school
(Question No 86)**

Ms Hunter asked the Minister for Education and Training, upon notice, on 26 February 2009:

- (1) Can the Minister provide a copy of all feedback received from the Indigenous community who previously sent their children to Narrabundah Primary School, concerning the school's change from K-6 to P-2.
- (2) If no feedback has been received, has any been sought.
- (3) What feedback has the ACT Government received from parents and families whose children were enrolled in kindergarten or year 1 at Narrabundah Primary School last year but who are not enrolled in the Narrabundah Early Childhood School this year.
- (4) Can the Minister provide enrolment information for those students who have moved from the Narrabundah school.

- (5) What, if any, transition plans were implemented for these students and for the other primary school students in the years above year 2.

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

- (1) No feedback has been received.
- (2) Verbal feedback was sought throughout the extensive transitioning period during community meetings, school tours, parent information sessions and individual parent transition meetings during 2008.
- (3) Principals from receiving schools have reported to departmental staff that parents and families whose children were enrolled in kindergarten or year 1 at Narrabundah Primary School have indicated to their receiving schools that they are happy with their new school environments and the programs offered.
- (4) Yes. Enrolment information for students who moved from Narrabundah Primary School indicates Red Hill Primary School and Forrest Primary School as the largest receiving schools for Narrabundah Primary School students. Students in the Learning Support Class transitioned to Curtin Primary School.
- (5) Extensive transition arrangements for students from Narrabundah Primary School were organised by nominated transition coordinators at the schools and included orientation visits by students and their teachers, half day visits during term four 2008, meeting their teacher before the commencement of the 2009 school year and transition interviews. Individual transition plans also included the development of Individual Learning Plans and extensive briefing of academic and social needs by Narrabundah teachers to receiving schools.

Cemeteries and crematoria (Question No 88)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 26 February 2009:

- (1) When and how will consultation on the proposed Tuggeranong cemetery and crematorium occur.
- (2) How will the consultation specifically engage the ACT community about the type of cemetery they would like to see on the site, including consultation about natural cemeteries.
- (3) What changes are required to ACT law to permit 'natural burials', including (a) burial in shrouds or cardboard coffins, (b) burial in a bush cemetery, and (c) vertical burial.
- (4) What is the amount of power used, and greenhouse gas equivalent produced, by Norwood Park crematorium annually.
- (5) What is the likely carbon footprint of a natural cemetery compared to those of standard burials and cremations.

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

1. Consultation on the proposed Tuggeranong cemetery and crematorium has been started with discussions with some of the key stakeholders.

The ACT Government is seeking input from key stakeholders, local residents and interested individuals. The public consultation process will comprise of:

- Information displays and fact sheets at ACT Government Shopfronts, public libraries and other selected venues
 - Surveys including hardcopy, online and a random telephone survey of 1,000 members of the Canberra Community
 - Stakeholder meetings/briefings
 - Information sessions
 - Direct mail to community networks
2. In general the community will be asked to comment on a number of themes, including:
 - Whether or not they support the establishment of a southern cemetery;
 - Whether or not they support the establishment of a cemetery at the proposed site;
 - Whether they agree on the inclusion of a second crematorium at the proposed site;
 - Whether or not they support reserving part of the proposed site for natural burials and other types of burials and what other elements the proposed cemetery might include.
 3. At present only coffins that meet specific criteria under the Cemeteries and Crematoria Regulations 2003 Act, Regulation 7 (2) (Requirement for burial of human remains), which states a coffin, casket or other container is approved for the burial of human remains if it complies with the following minimal requirements that it:
 - (1) Not leak liquids or gases;
 - (2) Be securely closed before transportation to the burial site up to and including committal to the ground;
 - (3) Be constructed so as to not distort or collapse when handled during the normal course of events leading up to burial (including handling when damp); or
 - (4) Otherwise, be approved in writing by the chief health officer.
 - a. For shrouds it is not clear at this point in time whether an approval process by the Chief Health Officer would suffice or whether a change would be required to legislation. Burials in cardboard coffins are already permitted;
 - b. Burial in a bush cemetery would not require any changes to legislation; and
 - c. Vertical burial per se would not require a change to legislation but the coffin used will in all likelihood require approval of the Chief Health Officer.
 4. The ACT Public Cemeteries Authority has no access to information regarding Norwood Park, which is privately owned and operated.
 5. Natural burial is a relatively new concept in mainstream cemetery management. As far as the Cemeteries Authority is aware there is no quantitative published scientific data available comparing natural burial to standard burial and cremation.
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**Environment—cigarette littering
(Question No 90)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 26 February 2009:

Has the department done any work on changing bin design, or providing ashtray bins, in order to address Canberra's cigarette littering problem.

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

Yes. The Department of Territory and Municipal Services has worked to develop a cost effective approach to the cigarette littering problem. The majority of bins in public open spaces have a surface available to stub out cigarettes and the butt can then be placed in the bin. This approach collects all waste with one receptacle and the waste pick up with just one operation.

Provision of separate butt receptacles would require additional capital works funds for installation and operational funds for regular servicing and repairs.

Dedicated butt bins, in addition to rubbish bins, can create visual clutter to the public realm and would be an added tax payer expense to supply, empty and clean.

Lease holders and property managers are encouraged to provide and maintain butt receptacles at the entry/exit points to their building.

Butt littering is a behavioural problem that can be addressed only partially by the installation of bins or specific butt receptacles.

To address this behavioural component of the problem, Parks, Conservation and Lands, in partnership with the Butt Littering Trust, conducts an annual Butt Free City campaign in March. During the campaign educators visit the City Bus Interchange, Garema Place and part of City Walk approaching smokers about their butt littering behaviour, gaining pledges from smokers to place their cigarette butts in bins or use the give-away personal ashtrays.

**Housing ACT—facility management contract
(Question No 99)**

Mr Coe asked the Minister for Disability and Housing, upon notice, on 26 February 2009:

- (1) In relation to the Total Facility Management Contract between the Commissioner for Social Housing and Spotless P & F, on what day did the Commissioner for Social Housing extend the Total Facility Management Contract for a Further Term, the Initial Term having now expired.
- (2) What is the status of the contract extension.
- (3) Was there any market testing for other providers; if so, what form did this take.

- (4) Have there been any General Non-Conformance Notices or Audit Non-Conformance notices issued under the contract since 30 July 2008.
- (5) When was the last review and update of the Contract Management Plan and Risk Management Plan.
- (6) What is the client satisfaction level.
- (7) How many complaints has Housing ACT, the Department of Disability, Housing and Community Services, or the Minister's office received regarding the contract since 30 July 2008.
- (8) What is the proportion of responsive maintenance completed on time.
- (9) What amount of bonus payments have been made since 30 July 2008.
- (10) When was the last review of the Key Performance Indicators.
- (11) Have reviews recently been undertaken in accordance with the Quality Assurance program.

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

- (1) The parties agreed to extend the contract by exchange of letters on 1 July 2008.
 - (2) A Deed of Variation has been signed.
 - (3) No.
 - (4) Yes.
 - (5) The Contract Management Plan was reviewed and updated in October 2008. The Risk Management Plan was also reviewed and updated at this time.
 - (6) 72% level of satisfaction with emergency maintenance service and 61% satisfaction with day-to-day maintenance service (results from the Internal Client Satisfaction Survey carried out by Housing and Community Services – December 2008).
 - (7) From July 2008 until 18 March 2009, 271 complaints relating to general maintenance issues have been received by the Housing ACT Complaints Management Unit. The Department of Disability, Housing and Community Services Consumer and Quality Unit did not receive any complaints about Housing maintenance. Complaints received by the Minister are recorded and responded to. However, this is not disaggregated into the subject matter of the complaint. It is not possible to state the number of maintenance complaints without manually checking every Ministerial response since July 2008.
 - (8) 92.6%.
 - (9) \$54,873 (including GST).
 - (10) The Key Performance Indicator's were last reviewed in January 2009.
 - (11) Yes.
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**Director of Public Prosecutions—staffing levels
(Question No 101)**

Mr Hanson asked the Attorney-General, upon notice, on 26 February 2009:

What steps have been taken to ensure that adequate staffing levels in the office of the Director of Public Prosecutions will be maintained during holiday periods.

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

The Office of the Director of Public Prosecutions staffing levels during holiday periods is determined by the requirements of courts. The office maintains a skeleton staff including prosecutors and paralegals to meet court requirements during holiday breaks with additional staff being called for duty as required. Senior management are rostered on a rotational basis to cover any unforeseen requirements that may arise.

**Traffic offences—mobile phones
(Question No 102)**

Mr Hanson asked the Attorney-General, upon notice, on 26 February 2009:

How many people facing charges of driving whilst using a mobile phone were convicted of this offence in 2008.

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

The court does not have easy access to data about criminal sentences by type of case and I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Member's question.

**Traffic offences—drink driving
(Question No 103)**

Mr Hanson asked the Attorney-General, upon notice, on 26 February 2009:

- (1) How many people were summoned to attend court in relation to drink driving in 2008.
- (2) How many of those people outlined in part (1) failed to attend court after receiving an initial summons.

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

The court does not have easy access to data about criminal sentences by type of case and I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Member's question.

**Environment—building sites
(Question No 104)**

Mr Hanson asked the Minister for Industrial Relations, upon notice, on 26 February 2009 (*redirected to the Attorney General*):

What rules and regulations exist to ensure that areas adjacent to building sites are kept clean of debris and how are such regulations enforced.

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

Sections 38 & 39 of the *Occupational Health and Safety Act 1989* are commonly used by the Office of Regulatory Services (ORS) WorkCover in determining whether a builder has done all things reasonably practicable to reduce risks from hazards at the workplace as a result of their business undertaking.

This might include:

- Moving all material so that it rests within the boundary of the building site;
- Removal of material from outside the building site, if it cannot be safely placed within the boundary;
- Ensure adequate housekeeping within and outside the boundary of the site, including preventing debris on the site blowing to other areas, and washing down of plant; and
- Ensuring plant movement on site is controlled.

When visiting a building site, ORS WorkCover Inspectors may give direction to the person in control to address issues such as those listed above. Where warranted, enforcement action can include the issuing of Improvement Notices, Prohibition Notices or Infringement Notices.

**Transport—wheelchair accessible vehicles
(Question No 105)**

Mr Doszpot asked the Minister for Transport, upon notice, on 24 March 2009:

- (1) What provision is there for vehicles originally built as goods carrying vans or commercial vehicles to be registered as passenger vehicles after they have been modified to wheelchair accessible vehicles.
- (2) How long has this provision been available.
- (3) Is there reference to this provision on the publicly accessible Department of Territory and Municipal Services website; if not, why not.
- (4) How many refunds have been made to owners of wheelchair accessible vehicles who have paid commercial registration costs in error and what was the total cost of these refunds.

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

1. The Road Transport Authority will register vehicles originally constructed as goods carrying vans or commercial vehicles as passenger vehicles if they have been modified as wheelchair accessible vehicles.

The vehicle owner is required to obtain a report from an approved engineering signatory stating the modified vehicle meets the applicable motor vehicle standards. The modified vehicle is then required to be presented to the Authority for inspection.

2. Since the mid 1990's.
3. Yes.
4. In the past 12 months three owners of wheelchair accessible vehicles have contacted the Authority seeking refunds. The refunded amounts were \$47.50, \$193.10 and \$886.30 a total of \$1,126.90.

Environment—urban forest (Question No 106)

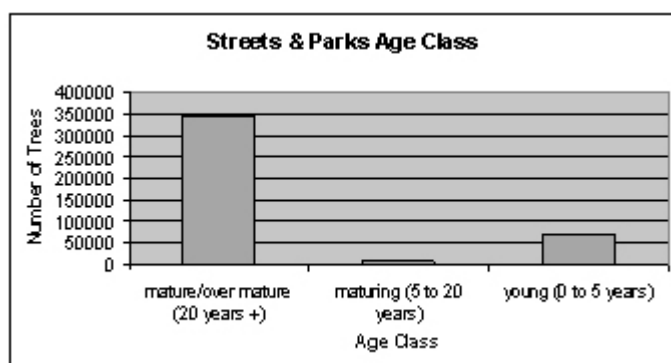
Mrs Dunne asked the Minister for Territory and Municipal Services, upon notice, on 24 March 2009:

- (1) When was the last inventory of urban forest trees conducted.
- (2) Who conducted the inventory.
- (3) What were the main outcomes and recommendations.
- (4) Approximately, to the nearest 1000, how many urban forest trees in the ACT are under the management of the ACT Government.
- (5) What is their average age.
- (6) What is their average life expectancy.
- (7) What is the approximate proportion of native trees verses exotic trees.
- (8) Does the ACT Government have an urban forest management plan; if so, from where may it be accessed; if not, why not.
- (9) Has the Government reviewed the plan, given the effect of the drought over recent years; if so, when and in what way was the plan amended; if not, why not.
- (10) In the context of urban forest management, what arrangements does the ACT Government have with the Commonwealth for the management of urban forest trees that are on Commonwealth land.
- (11) If the ACT Government has no arrangements as outlined in part (10) what is the management plan for these trees.
- (12) What is the (a) strategy for and (b) location of heritage trees that are either dead or nearing the end of their life expectancy.

- (13) What is the overall plan and program, including costs, species and community consultation processes, for replacement of urban forest trees that are either dead or nearing the end of their life expectancy.
- (14) What will happen to urban forest trees that are removed.

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

1. The last inventory was conducted over a period of four years from 1996/1997 to 1999/2000. The inventory included suburban street and park trees, but excluded unmown areas, some large parkland areas, many main road verges and the newer suburbs established since 1990. 388,066 trees were included in the original dataset. An inventory of four suburbs as a precursor to the Urban Forest Renewal Program (UFRP) is currently underway.
2. The Australian National University (ANU) conducted the initial inventory whilst specialist contractors are carrying out the current survey.
3. The initial inventory was undertaken to provide base data about Canberra's urban trees and also information for the development by the ANU of the Decision Information System for the Management of Urban Trees (DISMUT). DISMUT was developed to simulate future growth and ageing of the forest. It was also used to predict and prioritise future maintenance. The outcomes and recommendations of the current survey will be released shortly and will be used as a guide for the UFRP.
4. 630,000 trees.
5. In 2009 the average age of trees (according to the DISMUT model) is 40 years of age. Tree age ranges from newly planted to 95 years. The majority of trees are in the mature/over mature age class (greater than 20 years).



6. In Canberra the life expectancy for planted trees ranges from around 40-80 years of age for deciduous and evergreen trees (depending on species) and around 40-50 years for native trees.
7. Approximately 50:50 exotic versus natives
8. The ACT Government has an Urban Trees Asset Management Plan which was completed in 2005. It is not a public document, but is available if requested.

9. No, the plan has not been amended since 2005/06. The UFRP was initiated by the Urban Trees Asset Management Plan and aims to address the impacts of drought on the urban forest. The Asset Management Plan will be reviewed in the next couple of years.

10. The National Capital Authority (NCA) is responsible for the management and maintenance of trees within the Parliamentary Triangle and some areas of designated land in the vicinity of Lake Burley Griffin. The NCA also has responsibility for approving works including tree removal and replacement in designated areas.

A cross-agency steering committee has been formed to guide the management of the UFRP. It has executive level representation from the National Capital Authority (NCA), Parks, Conservation and Lands (PCL) and the ACT Planning and Land Authority (ACTPLA).

The NCA has agreed to:

- apply the UFRP Decision Framework in guiding the replacement of trees on national land; and
- proactively manage trees on national land.

11. N/A

12 (a) (b) Trees in heritage precincts will be surveyed as part of the UFRP. One of the principles underpinning the renewal plans is to maintain the existing landscape character. Trees in heritage precincts will be assessed for their safety and health and a 'heritage overlay' will be placed on those precincts in the landscape master planning phase to ensure heritage considerations are taken fully into account in replanting plans.

13. The UFRP is a long term (25 year) strategic initiative that will see an estimated 400,000 aging trees within Canberra's urban forest replaced. The proposed Program will systematically assess tree condition across Canberra, categorise risk factors and work with the community to develop landscape master plans in order to maintain the integrity of Canberra's world renowned urban forest so that future generations can enjoy its qualities.

The intention is to create an urban forest of equal or improved aesthetic quality and to plant species that are more resilient to Canberra's anticipated drier more stormy climate. An expert reference group has been formed to provide advice about suitable tree species and developing strategies and methodologies for implementing the Program.

The methodology, including community consultation, is currently being finalised and is yet to be presented to the Government for consideration. Various costing options are being developed.

14. The Program Team is investigating a number of ways to reuse the timber. This includes:

Environmental:

- Habitat in nature parks and ponds.
- Mulch.

Social/Economic:

- **Timber for furniture/ wood turning.** The urban forest contains some types of timber that is scarce and highly sought after. Discussion will be held with wood-turners, furniture makers and timber recyclers about the sale of some of the timber.
- **Firewood.** Statistics indicate that some 40,000 tonnes of firewood is brought into Canberra annually and used as firewood. There may be an opportunity to reduce the number of remnant trees used as firewood as some timber from the UFRP could be used in its place.

Roads—disabled parking permits (Question No 107)

Mr Doszpot asked the Minister for Territory and Municipal Services, upon notice, on 24 March 2009 (*redirected to the Minister for Transport*):

- (1) How many disabled parking permits have been issued since 30 June 2008.
- (2) How many of those permits in part (1) have been issued to owners of wheelchair accessible vehicles.
- (3) How many wheelchair accessible vehicles are registered in the ACT in total.

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

1. 2,320
2. The Road Transport Authority does not record any unique identifiers for privately registered wheelchair accessible vehicles on its database. Therefore, the Authority is unable to answer this question.
3. The Road Transport Authority does not record any unique identifiers for privately registered wheelchair accessible vehicles on its database. Therefore, the Authority is unable to fully answer this question. There are currently 24 wheelchair accessible taxis registered in the ACT.

Tidbinbilla—community workshop (Question No 132)

Mrs Dunne asked the Minister for the Environment, Climate Change and Water, upon notice, on 24 March 2009 (*redirected to the Minister for Territory and Municipal Services*):

- (1) How many people attended each community workshop on a new plan for Tidbinbilla held on 17 and 18 February 2009 from (a) relevant government agencies and (b) the general public.
- (2) What was the agenda/programme for each workshop.
- (3) Who facilitated the workshops and what were the facilitators' qualifications for so doing.

- (4) What were the main outcomes and recommendations of the workshops.
- (5) Is it intended to produce a report on the workshops and their outcomes; if so, when will the report be available; if not, why not.
- (6) Will the outcomes and recommendations of the workshops form the basis for a new plan of management.
- (7) When will that plan of management be published.

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

1. For Ainslie Workshop on 16 February 2009
 - (a) 5 PCL staff (who either assisted with or observed the workshop proceedings)
 - (b) 14 community members

For Tuggeranong workshop on 17 February 2009

- (a) 5 PCL staff (who either assisted with or observed the workshop proceedings)
- (b) 8 community members

For Tidbinbilla workshop on 18 February 2009

- (a) 5 PCL staff (who either assisted with or observed the workshop proceedings)
- (b) 9 community members

2. Program for Ainslie Workshop (16 February 2009)
 - a. Registration & refreshments
 - b. Welcome and introduction
 - i. Purpose of consultation, the approach for today, separate Indigenous consultation, COB for submissions.
 - ii. Introduce TAMS staff
 - iii. Housekeeping
 - c. Brief outline of post-fire developments at Tidbinbilla Nature Reserve
 - d. The process to develop a Plan of Management for the Tidbinbilla precinct
 - e. General comments from the floor
 - f. Small group discussions with questions to prompt the groups taken from the discussion paper regarding:
 - iv. Recreation & Tourism
 - v. Natural & Landscape
 - vi. European & Aboriginal
 - vii. Education & Science

The Tuggeranong workshop (17 February 2009) and Tidbinbilla Visitor Centre workshop (18 February 2009) programs were modified due to low attendance. These workshops had the same format as Ainslie (above) but excluded small group discussions. General comments from the floor were extended to the end of the workshop with the facilitator prompting the same questions as proposed in the Ainslie workshop.

3. All three workshops were facilitated by Ms Lyn Goldsworthy AM, M Sc. Campaign Essentials Pty Ltd. Ms Goldsworthy has experience with Advocacy, Facilitation, Training, Strategic Planning and Program Reviews.

4. Issues papers will be prepared and further consultation will be undertaken with a Community Advisory Group formed for this purpose. Consultation will also be undertaken with Aboriginal groups.
 5. Yes. The workshop report will be available on the TAMS website in April 2009.
 6. The workshop discussions will contribute to issues papers which will form the basis for a draft plan of management.
 7. It is expected that the draft plan will be released for community comment in 2009 and it is anticipated that the final plan will be published around the middle of 2010.
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**Roads—secure truck parking
(Question No 139)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 26 March 2009 (*redirected to the Minister for Transport*):

- (1) What facilities are available in the ACT for secure truck parking.
- (2) Does the Government have any plans to improve secure truck parking facilities in the ACT; if not, why not.

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

- (1) There are secure truck parking facilities in the ACT that are operated by the private sector including the Capital Self Storage Depots at Woden, Hume and Mitchell.
 - (2) The Government has no plans to improve secure truck parking facilities in the ACT as these facilities are operated by private enterprises.
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