



# Debates

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**Thursday, 25 June 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.

## **Long Service Leave (Portable Schemes) Bill 2009**

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

Title read by Clerk.

**MR HARGREAVES** (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (10.01): I move:

That this bill be agreed to in principle.

Mr Speaker, it has been a long-held desire by this government and the long service leave authorities that they merge and amalgamate the common functions of the schemes, including financial and annual reporting and the appointments to and operation of the governing board.

The Long Service Leave (Portable Schemes) Bill 2009 does this by providing better outcomes for members by achieving administrative savings while at the same time maintaining the individual integrity of specific industry funds. Currently, two separate legislative entities, the Construction Industry Long Service Leave Authority and the Cleaning Industry Long Service Leave Authority, under the direction of two separate governing boards oversee the administration of existing portable long service leave schemes in the ACT. However, the day-to-day operational management of both authorities is undertaken by the same small team of dedicated management and staff operating from premises in Campbell.

This new bill will result in the integration of the two existing authorities under one board, through one piece of legislation, with separate schedules detailing the attributes and entitlements relating to each specific scheme. The new board structure reflects the immediate need to bring the two boards together. However, the government is aware of the need to plan for the future with the proposed introduction of a community sector scheme planned for later this year. The board construct will need to be revisited at that time so as to improve capacity and better equip the new authority to respond to the challenges of the future.

The bank accounts, investment funds and other resources of each scheme will, however, remain separately identified and accountable under this new legislation. In this way workers' service and entitlements to long service leave will continue to be separately recorded, accounted for and protected within the new integrated ACT Portable Long Service Leave Authority.

In addition, the new legislation will allow an augmented board to more easily oversee the operations of multiple schemes within the authority and will reduce the administrative burden on the authority—for example, removing the need to produce two or more annual reports and statements of intent. The new legislation will not only streamline the administration of existing portable long service leave schemes but also make it easier to establish and implement schemes for additional industries in the ACT. The ACT has been at the forefront of innovation in the area of portable long service leave schemes, being the first to introduce a cleaning scheme in 2000 and also in deciding to introduce a scheme for workers in the community sector scheme, which the government foreshadowed in the 2008 budget.

As the minister responsible for long service leave, it will be my great pleasure soon to present in this Assembly, on behalf of the Minister for Community Services, legislation to provide for a portable long service leave scheme for the community and childcare sectors. The provisions in the legislation will be informed by the consultations undertaken with workers and employers in the community sector earlier this year. In addition, the scheme has had substantial input from an actuary report, which was commissioned to identify the relative costs for employers in the community sector. All states and territories have a construction industry long service leave scheme, but to date only Queensland has followed the ACT's lead in introducing a cleaning scheme and currently no others have a community sector scheme.

The new integrated authority will continue to work closely with the Office of Industrial Relations and the Department of Disability, Housing and Community Services to facilitate the introduction of the new community sector scheme. The integration of the authorities under this legislation will also facilitate the continuation of a range of improvements being currently undertaken in the area of portable long service leave management and administration in the ACT. This change agenda includes the development of a revised staffing structure and a critical review and refinement of all operational processes and procedures, including the information management system.

The board of the new authority will continue a program of close consultation and liaison with stakeholders in the relevant industries, particularly employers and employees and their representative bodies. Indeed, this bill involved extensive stakeholder consultation that has resulted in agreement between both boards and employer and employee representatives, including all relevant unions, that this proposal is in the best interests of the long service leave schemes.

Mr Speaker, at this point I would like to acknowledge the work that went before, particularly the efforts of former Speaker Wayne Berry, who had a vision that all non-public sector employees would have portability of their long service leave entitlements. We knew it was a difficult thing to actually deliver at the time and we knew we would have to do it industry by industry. This work, which now will see the two sectors come together, is the start of that.

I would also like to acknowledge the work that the Deputy Chief Minister, Katy Gallagher, did as Minister for Industrial Relations in kicking this whole concept off. It

is our vision that ultimately everybody who is not employed in the public sector will be able to have their long service leave transferred from one industry to another. The challenge for us into the future is going to be having a scheme where a person can be, for example, a shop assistant during the day and a cleaner at night. If that particular individual works for 10 years or so continuously, they are entitled to long service leave from both sectors. At the moment, we do not have one single mechanism to allow them to achieve that. That is our aim and that is where we are heading. I commend this bill to the Assembly.

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

## **Workers Compensation (Default Insurance Fund) Amendment Bill 2009**

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

Title read by Clerk.

**MR HARGREAVES** (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (10.09): I move:

That this bill be agreed to in principle.

The Workers Compensation (Default Insurance Fund) Amendment Bill 2009 will amend the Workers Compensation Act 1951 to bring the Default Insurance Fund manager's powers into line with those exercised by all private sector workers compensation insurers in the ACT.

In 2006, the Default Insurance Fund—the DI fund—was created. The fund is a result of the merger between two entities—the Workers Compensation Nominal Insurer and the Workers Compensation Supplementation Fund. The Default Insurance Fund meets the costs of workers compensation claims where (1) a worker suffers a work-related injury but their employer does not have a workers compensation insurance policy; or (2) their employer has a policy, but the insurer has collapsed or is otherwise unable to pay the claim.

The sole purpose of the Default Insurance Fund is to provide a safety net for the injured workers of the ACT to ensure that workers have access to timely and appropriate medical treatment, rehabilitation and compensation in the event that they have a workplace injury.

The funding to provide workers compensation benefits in the event that an employer is not insured is obtained through a combination of levies on the ACT's private sector insurers, and thereby all ACT employers, interest on the levies, and from recoveries obtained from uninsured employers or other parties.

The Default Insurance Fund is, for all purposes, an insurer. However, under the current provisions of the fund the fund manager does not have the same powers as

other insurers to settle claims and to act on behalf of the uninsured employer that it indemnifies. This anomaly results in delays in workers receiving their workers compensation entitlements, takes up precious court time and distracts the fund manager from the core business of overseeing benefits and care for injured workers, and from the recovery of costs from those employers not doing the right thing.

The proposed changes will bring the DI fund manager's powers into line with those exercised by all private sector workers compensation insurers. In particular, it will enable the DI fund manager to conduct proceedings and settle claims without the consent of the uninsured employer. To protect the interests of the employer, the provisions require the fund manager to take reasonable steps to contact the employer and take into consideration the views, if any, of the employer in the conduct of the matter. I commend the bill to the Assembly.

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

## **Work Safety Legislation Amendment Bill 2009**

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

Title read by Clerk.

**MR HARGREAVES** (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (10.13): I move:

That this bill be agreed to in principle.

Mr Speaker, today I introduce the Work Safety Legislation Amendment Bill 2009. The Work Safety Act 2008 was passed by the Sixth Assembly on 28 August last year. The commencement of this act, on 1 October 2009, will represent a key milestone in the history of occupational health and safety in the territory.

The act provides a modern set of laws that reflect the realities of working and doing business in the territory. The tabling of this bill comes at a time when all governments across Australia are continuing to work cooperatively to harmonise occupational health and safety laws. The Workplace Relations Ministers Council has commissioned the drafting of model OHS laws. The earliest these laws will be implemented is in 2012. While the ACT government is strongly committed to this work, the current ACT legislation needs to be replaced now.

The work safety regime aims to secure the safety of people at work. This will be achieved through the management of risk and the provision of an environment for workers that is safe and healthy; protects them from injury and illness and provides for their physical and psychological needs. The regime fosters cooperation and consultation between employers and workers and the organisations representing them. It provides a framework for continuous improvement and progressively higher standards of work safety to take account of changes in technology and work practices.

The Work Safety Legislation Amendment Bill 2009 further refines the Work Safety Act 2008 and provides for the necessary consequential and transitional arrangements to enable its commencement on 1 October 2009. As is usually the case when a significant piece of legislation is implemented, amendments to other acts are needed to ensure consistency in both terminology and policy terms. Most importantly, this involves formally repealing the Occupational Health and Safety Act 1989 to allow the Work Safety Act 2008 to replace it.

The bill also repeals schedule 3 of the Public Sector Management Act 1994. Schedule 3 provided a range of work safety obligations for the public service. The repeal means that public and private sector employers in the territory will all be required to comply with one work safety regime. The bill provides that various appointments and arrangements under the existing OHS Act continue when the new one commences.

These amendments include transitioning aspects of the current regime to the new regime such as the various codes of practice, appointments of current OHS Council members and the OHS Commissioner. Existing workplace arrangements, including health and safety representatives and health and safety committees, will be transitioned to become work safety representatives and work safety committees when the new act commences. The bill also ensures that enforcement and compliance action, such as prohibition notices, issued before commencement, will remain valid into the new regime.

I will now outline briefly some of the further important aspects of the bill that are the result of ongoing consultation with stakeholders, and ongoing review and assessment of the legislation since its passage. The bill proposes to insert the word “workers” into the central safety duty that applies to people who conduct a business or undertaking. This will put beyond doubt that the central safety duty is owed to workers, as well as other people at the workplace. The bill ensures the labelling in the act is consistent by changing references to “health and safety representatives” and “health and safety committees” to “work safety representative” and “work safety committee”. This reflects the approach of the act in general. The bill also further clarifies the reporting requirements when a serious event or dangerous occurrence happens. A number of events incorrectly fall within the current definition in the Work Safety Act 2008. The proposed amendments ensure that the events listed are connected with the notion of risk of serious injury or death.

The act currently provides an exception to the flexible mechanisms for workplace consultation arrangements. The Chief Executive of the Department of Justice and Community Safety may direct an employer for a work safety committee to be established. The bill proposes to further extend this exception by providing that the relevant chief executive may direct all employers across a specific industry to establish a work safety committee where the work performed is hazardous and a committee will improve work safety. The bill also proposes key changes to the existing confidentiality provisions that enable the sharing of protected information within the Office of Regulatory Services and between the territory and other jurisdictions.

It is essential that safety regulators are able to communicate protected information which may assist in the protection of workers and the public from risks to their safety. The proposed amendments ensure that work safety regulators will not be hamstrung by bureaucratic red tape and impractical restrictions which do not meaningfully protect rights to privacy but do hinder the ability to protect work and public safety. The provisions in the bill are modelled on the secrecy provisions in the Medicines, Poisons and Therapeutic Goods Act 2008 and have been carefully framed to provide safeguards against the inappropriate use of protected information. If a person misuses protected information they may face a hefty fine, imprisonment or both.

On 5 June 2009 I released the exposure draft of the Work Safety Regulation 2009 for six weeks of public consultation. The regulation will commence with the act and provides additional detail on specific work safety issues, such as workplace arrangements, amenities, licensing high risk work and manual tasks at work. During the development of the regulation it became apparent that two offences, given their gravity, should be in the act. These offences are obstructing a work safety representative and inappropriately providing access to personal health information. The bill proposed to insert these offences into the act. The bill will also allow the regulations underpinning the act to carry up to a maximum of 30 penalty units. This will bring the regime into line with the Dangerous Substances Act 2004, which also deals with serious safety issues.

Since September 2005, the ACT Occupational Health and Safety Council has contributed significantly to the content of this act—reflecting the input of business, unions and the public more broadly. I would like to thank all the council members, past and present, for their contribution to the development of this new work safety legislation.

The work safety regime provides important and comprehensive protection for workers in the territory. The regime balances the interests of workers and business by providing a measured, future-focused approach to work safety. The Work Safety Act 2008 is highly consistent with the directions of the nationally harmonised OHS laws and places the territory in a good position to achieve harmonised laws with minimal change to our existing framework.

The future transition to nationally harmonised OHS will be simpler in the ACT than in any other jurisdiction. And at this point, Mr Speaker, I would like to acknowledge the hard work of Liesl Centenera and Robert Gotts from the Office of Industrial Relations in being able to transition this through the OH&S Council, and of course through my office. I commend the bill to the Assembly.

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

## **Education, Training and Youth Affairs—Standing Committee Reference**

Debate resumed from 2 April 2009, on motion by **Mr Barr**:

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.

**MS BRESNAN** (Brindabella) (10.22): I move the amendment circulated in my name:

Omit all words after “That this Assembly”, substitute:

“refers to the Standing Committee on Education, Training and Youth Affairs for inquiry and report the level of unmet need for educational services for all students with a disability in ACT government and non-government schools, with particular reference to:

- (1) community and parental experiences, satisfaction and attitudes;
- (2) educational outcomes;
- (3) the findings of the Special Education Review into leading international and Australian practice in curriculum and pedagogy for students with disabilities;
- (4) the provision of services, such as therapy and transport, to support educational needs of students;
- (5) post-school options, transitions and later year pathways for students with a disability; and
- (6) any other related matters.”.

I seek to amend the proposed referral to the Standing Committee on Education, Training and Youth Affairs of the level of unmet need for students with disability. I will also move to amend the proposed referral of an inquiry into the socioeconomic achievement gap in ACT schools shortly. As the minister has always been aware, these inquiries have always been on the agenda and the program of the education committee. I was a little disappointed by Mr Barr's presumption that the point of politics is to appear to have control of the agenda rather than to deliver on the projects or actions. I was challenged to wear a Blues jumper in the chamber if New South Wales won the State of Origin game last night. Mr Barr might like to reflect on the failure of his team. It is a reminder that when push came to shove last night it is not always what you say, it is what you do that counts. I thank Mr Barr for his work on the motion he put to the Assembly. It was very useful in developing the terms of reference. I note that the committee has agreed to the terms of reference.

**Mr Hargreaves:** Bullying tactics and thuggery always work.

**Mr Hanson:** We know that's the mantra you live by John, isn't it?

**Mr Hargreaves:** Especially on the rugby field and in the upper echelons of the military yard.

**MS BRESNAN:** You just have to look at a scoreboard basically, don't you? These terms of reference are a little broader than the ones proposed by the minister and I believe they are more useful and instructive because of that. The needs of students with a disability in all ACT government and non-government schools is an extremely important issue and I am pleased to bring this amended motion to the Assembly.

**MR DOSZPOT** (Brindabella) (10.24): It is with great pleasure that I rise to support the motion today, a motion that may need a—

**Mr Barr:** The motion or the amendment?

**Mr Hargreaves:** The amendment.

**MR DOSZPOT:** My apologies, Mr Speaker, I will start again—the amendment to ensure that Mr Barr really does mean that the ACT students he refers to in this motion include all government and non-government school students. Mr Barr, with his insatiable appetite for media opportunities and spin, has taken great pleasure in trying to spread the great untruth that the opposition was avoiding this motion. I am pleased to say that this misinformation has not resonated in the community or with the media and, in fact, all of Mr Barr's appearances in the media seem to be blurring into one.

The motion today is a very valuable one. While I know that this is a tick-in-the-box exercise for the government, as it forms part of the Greens-Labor agreement, the needs of students with a disability have long been put in the to-do-later basket. The referral of this issue to the Committee on Education, Training and Youth Affairs is the right step in ensuring that enough attention is devoted to rapidly increasing issues that face students and young people with a disability. When we talk about the needs of

students with a disability, it is important that we include all students in ACT schools, non-government and government alike. The minister finally recognised this when he performed his double backflip with pike—as Mr Hargreaves likes to say—and graciously included students that attended non-government schools in the terms of reference of the Shaddock review.

Sadly, it has taken 2½ months of ongoing pressure by the opposition, followed by a strong stance by Catholic and independent school groups and the ACT Parents and Friends Association, to persuade the minister that he was wrong for not including them in the first instance. We first called on Mr Barr to include students with a disability that attended non-government schools in the Shaddock review on 29 April this year. His consistent response was a resounding no. He did not see the need to include this section of the student population. On ABC radio on 17 June, the minister said:

I wouldn't wade into the non-government school system without an invitation particularly in relation to teaching and curriculum.

This is from the minister for the whole education system. I am consistently being contacted by families from both non-government and government schools who have provided anecdotal evidence of a gap in services and long waiting lists for families of students with a disability, regardless of where they attend school. Their needs must be addressed in the same way across the board and the reform process must be consistent. The ACT Education Act 2004 clearly states that education should aim to develop every child's potential and maximise educational achievements. This would also apply to non-government students. The ACT Human Rights Act 2004 also applies to all students with a disability. The issue of post-school options is one that causes a great deal of angst to families of young adults with a disability. There are so many added pressures on families as their child with a disability gets older.

The difficulties with respite care and the shortage of work placements available mean an added burden on the family carer. To highlight the difficulty in finding work, I recently asked a question on notice of the Chief Minister to try and ascertain exactly how many employees of the ACT government are identified as having a disability and the answer was 1.6 per cent of the entire ACT government in full-time, permanent employment; 1.86 per cent in permanent part-time employment; and 1.48 in casual employment. We must start to set an example for industry and we have a long way to go. I look forward to the committee's findings and recommendations on the issues facing families of students with a disability. I am very pleased to support this motion.

**MS BURCH** (Brindabella) (10.28): This motion and amendment refer to a very important issue to the Standing Committee on Education, Training and Youth Affairs. The issue is the needs of ACT students with a disability. This government takes the needs of children and young people with disabilities, particularly their educational needs, very seriously. This is evident in the significant financial commitment that this government has made to students with disabilities in both government and non-government sectors. The old public-private debate is over and we are supporting all children in all schools. I am looking forward to getting out into the community to hear firsthand about parents' and students' experiences and concerns. I am also

pleased that the committee will be able to consider the findings of the special education review being conducted by Dr Shaddock.

It is an opportunity to reflect on our practices in the ACT. It is time to enhance the already impressive set of programs for students with disabilities in government and non-government schools. We educate students in special schools, but we need to also be aware of and provide services for over 500 students who are in mainstream schools in the public school sector. I am happy to see that this motion directly addresses post-school options, transitions and later-year pathways for students with a disability. Too often we provide good education for our students with disabilities, but we then need to go on and provide enough support for students and families for the students to transition into training, work and other respite activities.

As a member of the education, training and youth affairs committee, I am looking forward to the opportunity to investigate this important policy area and to explore ways that the government can continue to help students with disabilities focus on their abilities and eventual transition from school to adult life. Each year the Department of Education and Training conducts a satisfaction survey among the parents of students who are accessing special education programs and services. I am pleased to report that around 89 per cent of parents who responded to the survey expressed their satisfaction with their child's special education program. An 89 per cent satisfaction rate is a very good result. I am confident that the education we provide for students with a disability is already of a high quality, but we can and we must ask: can we do better?

The Shaddock review will tell us this. The review will identify areas where we are currently doing well and areas where we can improve. It will ensure the significant investment that the ACT government makes in special education services produces the best outcomes for our students and allows them to reach their full potential. It is important that the standing committee inquiry considers the other important areas highlighted in the motion and retained in the amendment. I urge the Assembly to give their support.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (10.32): I thank members for their contributions, perhaps some more than others. The free sporting advice from Ms Bresnan is a bit hard to take this morning. I do note that I am resplendent in my Blues tie, regardless of—

**Ms Bresnan:** Where is your Maroons scarf?

**MR BARR:** I never committed to wearing it. I draw the line somewhere, I have got to say. It is some small consolation that, in spite of Queensland's success in Rugby League, their Rugby Union team has struggled to win two games in a row over the last four years; so I draw some small consolation from that. I also advise that there is only one sporting competition where I would support New South Wales and it is the Rugby League.

To go to the matters before us today: I thank members for their contributions and welcome that we are finally making some progress on this matter. The government

can support the amendment put forward by Ms Bresnan. I am hoping, though, that the committee, under new term of reference (6), “any other related matters”, will make comments in relation to the student-centred appraisal of need process and will make some recommendations in relation to future special education provisions on geographic and demographic needs and the range of educational settings. It is a little odd to me that those two areas have been removed from the specific terms of reference but, in the interests of advancing this debate, I think it is important that we get away with a resolution today and the committee gets on with its important work.

In response to Mr Doszpot, let me make this absolutely clear: at no point will I ever accept that he speaks on behalf of non-government schools. When non-government schools approached me directly, within a week I responded to their call. If Mr Doszpot believes that the government should be intervening in curriculum and pedagogy in relation to non-government schools then I think he needs to have a conversation with the non-government school sector about what their views might be, particularly in relation to religious education.

If Mr Doszpot believes that the government has a role in determining religious education in non-government schools then I think that is an issue he might want to discuss with the non-government school sector. I repeat: I will never take Mr Doszpot’s advice or the position of the Liberal Party in relation to non-government schools. I will talk directly to non-government schools.

**Mr Hanson:** And they will tell you exactly what we were saying.

**MR BARR:** No, they have got significant issues with where Mr Doszpot is going with human rights. They are very concerned about bringing human rights legislation into non-government schools.

Amendment agreed to.

Motion, as amended, agreed to.

## **Education, Training and Youth Affairs—Standing Committee Reference**

Debate resumed from 2 April 2009, on motion by **Mr Barr:**

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.

**MS BRESNAN (Brindabella) (10.35):** I move:

Omit all words after "That this Assembly", substitute:

"refers to the Standing Committee on Education, Training and Youth Affairs for inquiry and report the extent of existing socio-economic differences in educational engagement and achievement in all ACT government and non-government schools, with particular reference to:

- (1) educational engagement and outcomes for students of all interests and abilities, with reference to any implications of cultural background, including Indigenous and ESL students;
- (2) engagement and achievement rates within the ACT student population including those related to national and international assessments, including:
  - (a) average outcomes;
  - (b) proportion of students below national and international assessment benchmarks; and
  - (c) proportion of students achieving at the highest and lowest proficiency levels;
- (3) qualitative assessments of educational experiences for students from different backgrounds;
- (4) current programs and initiatives designed to address educational achievement gaps, including resources allocated and relevant experiences in other jurisdictions; and

(5) any other related matter.”.

As with the previous amendment, these terms of reference were agreed on by the committee. They are wide ranging but they will allow interested parties and experts to contribute constructively to an analysis of the way our education system works for people from various backgrounds. The minister will note that we are interested in and looking both at the measurable outcomes and the more qualitative notions of engagement in forming a view about how our school systems are working for the full range of students. The heart of the matter, however, is one of the differences in outcomes across the socioeconomic spectrum and how resources can be best targeted to get the best outcomes. Again, I thank Mr Barr for his work in drafting the original motion and I look forward to starting this very important work with the committee.

**MR DOSZPOT** (Brindabella) (10.36): As in the previous motion, obviously I do welcome the amendment. I guess I just need to get some clarification on this from Ms Bresnan that the amendment does, indeed, address both government and non-government schools in this regard.

**Ms Bresnan:** Yes, it does.

**MR DOSZPOT:** Thank you. The motion today tackles a topical issue in the education community. It is paramount that, in order to move forward with education reform, we have a good look at our overall performance outcomes and possible weaknesses.

The ACT, overall, does have a high level of achievement when it comes to international and national assessment. We have a high level of participation compared to other jurisdictions but this does not necessarily mean that this participation crosses over all socioeconomic areas of our society. We do need to better understand the reasons for any gaps here, and the committee will be a part of finding the best way forward in a bipartisan way to improve the outcomes of the bottom half of students.

Mr Barr seems to have taken great pleasure in his ossification and prevarication on this topic and in the previous comments about where I stand on education. I have stated all the way through that it is in favour of government and non-government schools equally. Again, the misuse of information is quite worrying to me. Mr Barr mentioned a number of points that have absolutely no relevance to either the topic before us in the previous amendment or in this one.

I am simply seeking his non-partisan approach to his portfolio for government and non-government schools and not to deflect that point of view over to this side. We stand for both government and non-government school issues. The sooner you adopt that same stance in all of your responsibilities, the happier this side of the chamber will be.

We do support this very important motion as a very important priority for the government and its plan for complete reform of education in the ACT. We support the amendment.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (10.38): The government will not be supporting the amendment, and let me tell you why. We put down some very clear terms of reference for the committee so that there are no excuses—they are very broad—and the committee has all the authority it needs.

Ms Bresnan has proposed today a number of matters in her amendment which, if agreed to, would mean that the terms of reference are seriously deficient. In at least two respects it would mean the committee inquiry would not deliver on the parliamentary agreement commitment between Labor and the Greens.

What are those two key problems? The first is that there is no deadline in the new terms of reference. The deadline set by the parliamentary agreement was within 12 months, and this is reflected in my original terms of reference. So the amendment sets no reporting date. That is not what was agreed to between Labor and the Greens. Frankly, I do not think that is good enough.

Secondly, there is no clear reference to or definition of the achievement gap. The definition of the achievement gap that is put forward in the amendment is too vague to guide the serious work of the committee. The government proposed that the committee investigate the performance of ACT school students, government and non-government—ACT school students, Mr Doszpot—in national and international assessments to identify whether any gaps exist in the performance of ACT students, government and non-government, compared with the highest performing jurisdiction or country and to make recommendations as to how to close those gaps and ensure that the ACT is the top-performing jurisdiction. This is specific, measurable, achievable and ambitious.

By contrast, the revised terms of reference, with their bland statement about “existing socioeconomic difference in educational engagement and achievement”, are too vague and too narrow. It is not good enough and it is not what was agreed between Labor and the Greens.

There are a number of other deficiencies in the Bresnan terms of reference. The two most glaring, in my view, are removing the reference to strategies for informing and engaging parents in support of their children’s literacy and numeracy development. In the government’s view, parents are the first teachers and home is the first school. So I do not understand why Ms Bresnan wants to ignore this in her amendment.

Ms Bresnan seeks to remove my reference to a longitudinal analysis of the ACT’s results such as ACTAP and 2008 NAPLAN and other national assessments, PISA and TIMMS. In my view, that should be part of the terms of reference. Good evidence is the lifeblood of progressive policy, and again I do not understand why Ms Bresnan wants to remove these references.

For these reasons, the government will oppose Ms Bresnan’s amendment. We believe that the original terms of reference met the requirements of the Labor-Greens parliamentary agreement. In particular reference to Mr Doszpot and the Liberals, it

covered both government and non-government schools. So in our view, this set of amendments should not be supported.

I know the Liberal Party are examining the original terms of reference and I would certainly invite them to give some consideration to those terms of reference, particularly given the exclusion in the Greens' proposal of a role for parents and examining the role for parents and the longitudinal analysis of data.

Debate (on motion by **Mr Seselja**) adjourned to a later hour.

## **Planning, Public Works and Territory and Municipal Services—Standing Committee Reference**

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (10.43): I move:

That:

- (1) the Standing Committee on Planning, Public Works and Territory and Municipal Services undertake an inquiry to evaluate the RZ3 and RZ4 residential redevelopment policies applying in north Canberra along the major transport corridor of Northbourne Avenue, with particular attention being given to the following:
  - (a) the merits of maintaining:
    - (i) the policies applying to the RZ4 areas north of Macarthur and Wakefield Avenues which limit development to a maximum two storey building height limit and a maximum plot ratio of 0.65 until 23.5 hectares of the 25.9 hectares of residential blocks in the RZ4 areas south of Macarthur and Wakefield Avenues and north of Cooyong Street and Donaldson Street have been developed for multi-dwelling housing; and
    - (ii) the moratorium on redevelopment in Turner Section 47 and Part 63;
  - (b) whether similar redevelopment policies should be extended to other areas surrounding Northbourne Avenue in north Canberra and, if so, where and at what density; and
  - (c) the Committee's view on higher density development along major transport corridors; and
- (2) the inquiry should consider factors such as the demand for higher density development, the infrastructure capacity of transport and hydraulic networks to absorb additional development, the implications for housing affordability, the extent to which redevelopment policies reduce overall travel, the potential impacts of the policies on the amenity enjoyed by residents of the areas affected and how such impacts could be ameliorated.

I move this motion that refers an important inquiry to the Standing Committee on Planning, Public Works and Territory and Municipal Services. As you know, Mr Speaker, this government like to keep politics out of planning. We like keeping it out almost as much as the opposition parties like to bring it in. There is, however, an appropriate time for planning and policy to be considered by politicians in a rational and measured way, based on evidence. The appropriate time for politics to enter planning is when the government and the Assembly are considering changes to planning policy.

The time for the Assembly is now. The planning authority has prepared a detailed paper on a complex but profoundly important planning policy issue. We all know that cities in the 21st century cannot look like cities in the 20th century. Cities of the future have to be more sustainable. They need to have a smaller carbon footprint. They need fewer cars, more cyclists and more pedestrians. People will need to live closer together, with more and better open spaces.

Mr Speaker, to do all this, buildings will need to be taller and suburbs denser. We all know that and we all accept it. But currently, only one party has its hand up in this place to actually do it, and that is the Labor Party. It is a happy coincidence for me, Mr Speaker, that higher density suburbs are also more economically sustainable. More people living with existing taxpayer funded infrastructure, such as roads, sewers, gas lines and buses means lower demands on taxpayers' resources. That is a good thing in my mind to freeze up government resources for the sorts of quality education and health services that Canberrans value very highly.

This motion provides the Assembly with an opportunity to make a difference, to start a cultural shift towards a more sustainable and higher density city. Back in 1993 the territory plan made provision for higher density redevelopment in some residential areas through the B1 area-specific policy. It allowed for three-storey development. The B1 policies are aimed to encourage housing diversity, contain urban expansion, conserve energy and resources, and provide opportunities for increased dwelling densities to reduce population losses in established areas.

The north Canberra area was identified as an area suitable for higher density redevelopment because of its central location and good access to public transport facilities and employment. The B1 area was located between Sullivans Creek and Limestone and Majura Avenues and covered the suburbs of Braddon, Turner, O'Connor, Lyneham and Dickson. The initial implementation of this strategic decision was slow because a moratorium on redevelopment in the B1 policy area was instituted in the mid-1990s after the Lansdown inquiry. Subsequently, policy reviews were carried out between 1996 and 1999.

In response to these reviews, territory plan variation 109 was gazetted in May 1999. This variation created the B11 and B12 residential policies within the former B1 policy area, with B11 generally being three storeys and B12 generally being two storeys. The revised policy also required the preparation of section master plans to inform development applications.

Following the restructuring of the territory plan in 2007 and the commencement of the new plan on 31 March 2008, the B11 area-specific policy was renamed the RZ4 medium density residential zone, and the B12 areas became the RZ3 urban residential zone. There was no change to the actual policy context and the section master plans were integrated into the relevant precinct code, the inner north precinct code.

The RZ4 policy provides for a maximum building height of three storeys, with a maximum plot ratio of 0.8. The RZ3 policy provides for a maximum building height of two storeys with a maximum plot ratio of 0.65. The RZ4 building and site control policies also provide for the staging of multi-dwelling housing development in the RZ4 areas north of Macarthur and Wakefield Avenues. A maximum two-storey building height limit and a maximum plot ratio of 0.65 apply until 23.5 hectares of the 25.9 hectares of residential blocks in the RZ4 areas south of Macarthur and Wakefield Avenues, and north of Cooyong Street and Donaldson Street, have been developed for multi-dwelling housing. In other words, RZ4 will be extended north of Macarthur and Wakefield Avenues only once the vast majority of the area south of Wakefield and Macarthur Avenues have been redeveloped for multi-unit housing.

Some areas of the original B1 policy were zoned B13, based on recommendations from the Northbourne Avenue study of February 2000. Since the introduction of the new territory plan last year these areas, together with other former commercial E areas, have been converted to the CZ5 mixed use commercial zone.

In November 2008 ACTPLA prepared a report entitled *North Canberra RZ3 and RZ4 residential redevelopment policy monitoring and impact evaluation*. It provides a quantitative analysis of this higher density policy. It indicates that the policy has resulted in an increase of 1,500 dwellings in the RZ3 and RZ4 areas. It also indicates that when the policy is fully implemented the net increase in dwellings could be in the order of 4,000.

Further, it indicates that only 51 per cent of the required area south of Macarthur Avenue has been redeveloped for multi-unit housing, although I note this excludes the car parking land in section 13 in Braddon. As you can see from this short history of the policy, this is a complex area. There are no quick fixes to the questions that arise out of the report. This policy, indeed all planning decisions, involve a range of complex and sometimes extremely delicate policy trade-offs. These issues are, however, I believe worthy of serious consideration.

The study and the reality on the ground that it reflects raise a number of important issues that I believe the Assembly should consider. Firstly, the policy which has been in operation for 15 years has resulted in an average addition of 100 dwellings per year. At this rate of development, it would take another 25 years before the redevelopment of the area is complete.

Secondly, the restriction on the intensity of development in the RZ4 areas north of Macarthur Avenue, particularly pertaining to O'Connor, Dickson and Lyneham, has contributed to a low level of redevelopment in these areas. It is also having two other effects, the running down of some properties awaiting the time when the

redevelopment at a higher density is permitted and, secondly, where redevelopment has occurred in these areas it has been at a lower density.

The third policy issue, given the accessibility of the area to employment and good public transport services, is that the restriction really is not consistent with the strategic planning direction of the development of a more compact city.

Fourthly, data from the 2006 journey-to-work census indicated that some 40 per cent of workers living in Turner and Braddon—the area most subject to redevelopment—walked, cycled or caught public transport to work. This compares to the Canberra average of about 12 per cent.

Fifthly, as a result of neighbourhood planning in Turner, there is a moratorium on redevelopment in Turner sections 47 and part of section 63. This moratorium is at odds with the broader planning policy, including the policy issues at question, and whether it is desirable to maintain this moratorium is worthy of further consideration. Sixthly, the review might also consider the infrastructure capacity available in north Canberra and the demand for redevelopment dwellings.

Mr Speaker, in conclusion there is an implicit acknowledgement in both the Greens' and Liberals' policies in this area that higher density residential development is important. There is also implicit acknowledgement that higher density development along transport corridors is important and something that we should work towards. So this inquiry also provides a great opportunity for detailed consideration of the merits of broadening residential redevelopment policies to other major transport corridors. I would encourage the committee to form a view on this issue as well.

If we, as MLAs, are serious about a more compact, sustainable city, then residential density is a threshold issue. You cannot have a sustainable city that relies solely on everyone driving their cars from their quarter acre block in the outer suburbs. You cannot ban cars either. Not everyone in Canberra wants to live in the Space apartments, but if we are serious about sustainability then we have to make it easy for those that want to live near the city or on major transport corridors to do so.

You could have a bus for every household or a billion dollar tram system, but the one thing that gets people on their feet and into public transport is convenience. If work is 10 minutes away or the bus down Northbourne Avenue comes every five minutes, then in every practical sense it is easier to walk or use the bus than to drive your car. That, Mr Speaker, is what will get people out of their cars.

I will shortly provide a full copy of the report I have referred to in my speech to the committee. I ask my colleagues in this Assembly to support this important inquiry and join with the government in dealing with this tough but crucial issue for the future of our city. I commend the motion to the Assembly.

**MR SESELJA** (Molonglo—Leader of the Opposition) (10.57): Mr Speaker, I am very pleased that Andrew Barr is again coming on board with our policies. It is becoming Orwellian when Mr Barr speaks; every time he speaks and refers to taking politics out of planning, he puts politics into planning. Claiming that the Labor Party

has some sort of track record on encouraging more people to live along transport corridors and in higher density living in town centres is ridiculous. It is outrageous. They need to address where the focus of their policy has been on these issues.

**Mrs Dunne:** The shadow shadow is trying to have his little say.

**MR SESELJA:** The shadow shadow planning minister, Mr Corbell, will continue to have his say. Of course, the story starts with him because when he was actually the shadow planning minister he opposed everything.

**Mrs Dunne:** He opposed everything.

**MR SESELJA:** He opposed every development. If there was a development, he was there to oppose it. In fact, that actually set a lot of the framework. It is probably not coincidental that there were a lot of call-ins when he was shadow planning minister because he was there to oppose them. He was there egging on any scintilla of community concern about any development. Of course, he also believed in review of everything. He believed at that time in third party review for virtually any decision. There were no limits and he has acknowledged that in this place. That was the framework.

Of course, on becoming planning minister he changed his tune a little bit but we have been critical of the policies that have been pursued. Instead of actually getting your density along your transport corridors and instead of getting your density at your town centres, what are they focused on? They are focused on tinkering around the edges with the old A10 policy, the core areas. This is the failed, flawed policy. All it did was serve to annoy residents in suburbs and affect the amenity of suburbs without actually getting the fundamentals right of how we actually grow the city.

This major backflip comes on the back of a lot of other backflips, particularly from this minister. He does not seem to have any policies of his own. When he first came in he got told on day one, "Go close schools." He said, "Yes, sir, I will go close schools." Then he opposed our smaller class size policy. He said, "Smaller classes, well, we do not support that."

**Mr Barr:** Mr Speaker, on relevance. I do not think this in any way goes to the motion that is before the Assembly.

**MR SESELJA:** I am coming back to planning. I am setting context.

**MR SPEAKER:** Mr Seselja, the point of order—

**MR SESELJA:** I am setting context, Mr Speaker. We are moving then onto the planning backflips which have led to this. We saw, indeed, what happened just before Christmas. Always when you want to get something out and you do not want anyone to really notice, you put it out just before Christmas. I think it was around about 21, 22 or 23 December—

**Mr Barr:** I think it was about the 19th, actually.

**MR SESELJA:** I will give you the 19th. Mr Barr put out his policy which was almost a direct lift of parts of our planning policy, to ensure that ACTPLA is able to be more responsive to industry to get things done.

As I was touching on earlier, we long called for changes to that policy. One size fits all was the real problem with it. We said, "Having some of these unit developments in culs-de-sac in the suburbs just does not work. Focus it on town centres, focus it on transport corridors." Lo and behold, I believe it was this minister—I do not think that backflip happened under Mr Corbell—who actually made some changes that did impose some restrictions.

It has been this tinkering around the edges and this focus on this flawed core area policy which has led to simply tinkering. If you are talking about actual density, if you are talking about actually getting a sustainable city and a city that is able to grow sustainably, then of course it has to come along the transport corridors and at the major centres. There has not been that desire to do it.

This major policy reversal from the planning minister is certainly welcome. I will say it again: I want Canberra to grow. I am pro growth of this city. I do not want to see our population stagnating. I do not want to see our population going backwards. I want to see it grow sustainably and the way to do that, as Mr Barr has pointed out in his speech, is not for all of the growth to be happening in the outer suburbs.

Greenfields development is important. It will continue to be important. Not everyone is going to want an apartment. Not everyone is going to want a duplex in the inner north or the inner south or, indeed, be able to afford some of those. Many young families are still going to want, if not a quarter acre block, then a 600 metre block or a 700 metre block with a patch of lawn where they can raise their family. That is still something that is very important.

But for many Canberrans, and particularly as our population ages, they want apartments, they want townhouses, they want duplexes and we have not provided enough of them.

**Mr Barr:** So why did Vicki run the campaign against north Watson?

**MR SESELJA:** What a load of rubbish.

**Mr Barr:** I have got the emails and when I showed them to Bob Wynnell he was outraged.

**MR SESELJA:** This is the rubbish we hear—she was running a campaign. Mrs Dunne can respond to that. The minister, once again, has backflipped on this issue. Northbourne Avenue is one of the key areas where we do need to see density and we have not seen it. One of the things I announced was in relation to actually consulting with the community, not just about this particular area which Mr Barr is talking about but having a far broader conversation about town centres, major centres and about transport corridors and how we can better utilise that space. It is critically

important. You only have to look at the difference between, say, a New York and a Los Angeles to get the extremes between the low rise urban sprawl of a Los Angeles versus the high rise and density of a New York.

We are not going to go to either extreme but having some higher density development along the transport corridors and at the major centres is a great way of ensuring that we can grow our city, we can grow our population, we can still preserve our amenity. By going higher you can leave space in the city for some of the urban open space that we all want to see and for some of community facilities that we all want to see. We do not want to see wall-to-wall apartments. No-one would want to see that. If you go to some of the cities of the world where that is done badly and all you see is apartment after apartment after apartment with no community facilities and no urban open space, that is not a city any of us would want to live in.

We are far behind. If you look at Northbourne Avenue as an example and the low rise along Northbourne Avenue, I think that is a planning failure. That is something we have long called for to be overhauled so that we can actually see it as a genuine transport corridor where there are a lot of people living close to that transport corridor. Whether that is light rail in the future or whether that is just a far more efficient bus service, if you have got thousands more people living along Northbourne Avenue, you have the capacity, even with a bus service, to have far more services and, therefore, make it convenient. I know that Mrs Dunne in her previous role as shadow planning minister has long argued that the transport corridors and the major centres are where this needs to be done. We are very pleased that there seems to be some shifting from the government on this.

Turning attention to the Greens, this will be an important test for the Greens. I know that with Ms Tucker, who was previously in the Assembly, there was a tendency to sort of do a lot of negotiations around core areas and the like. But there does seem to be this dual, almost split, personality amongst the Greens where they want a sustainable city and a sustainable transport system, and that requires critical mass. But there also does tend to be, certainly sometimes, a bit of a nimby element when it comes to the development of apartment blocks in the inner suburbs. You cannot have it both ways.

You actually need to make some decisions if you are going to have a denser city, if you are going to have a lot more people living around our transport corridors and our major centres. We want to see that and there will always be some people who are annoyed about that and who maybe had their views taken away or whatever it might be. You need to balance those concerns but it is an important test for the Greens. I think in the past they have been concerned to oppose some of these developments, many of which are very positive.

Finally, I reiterate that we are undertaking that community consultation on the broader issue—not just Northbourne, but looking at the broader issue of density in our city and how we can move forward as a community in doing that and what are the best policy settings for doing that.

I think we have seen some disappointments even in recent years in the city. For example, I do not think there is any actual residential as part of the redevelopment of

the old cinema site in the city. I think that is another missed opportunity. We still do not see residential at section 84. We want to see it. We hope that that will be part of the plan moving forward very soon because I think that part of Civic and moving then into Braddon are important parts of this overall equation. We do want to see a lot more people living there. There should be thousands more people living in the heart of our city. There is no doubt about it.

In the Canberra I envisage in 10, 15 or 20 years time we will see thousands more people living in the city, thousands more people, or very close to it, living in places like Woden and Belconnen as well. That brings with it a vitality. That brings with it, I think, safety. One of the reasons people feel vulnerable after hours in Civic is sometimes because of the emptiness of it on a week night. I think when people live in the city and are going about their business, there is a certain sense of safety about that.

There are lots of potential benefits. I think this is an important first step. It is one part of this equation, and we are very happy to support this referral. We hope that the government's apparent change of tune on this will be genuine and that we can actually work together to get some good outcomes. We will support sensible changes to planning laws that help bring about growth in our city in a sustainable way, that help bring about greater density. We have a record of supporting sensible changes to planning laws where we believe they are in the best interests of all Canberrans. We will continue to do that.

I am very hopeful that something good can come out of this referral. I would commend it to the committee members to take a very good look at this but also to look more broadly. They should use it as an opportunity to look more broadly at how we will grow our city in a sustainable way moving right into the 21st century. I commend the motion to members.

Motion (by **Ms Le Couteur**) agreed to:

That the debate be now adjourned.

**MS LE COUTEUR** (Molonglo) (11.07) I move:

That the resumption of the debate be made an order of the day for the next sitting.

**Mr Seselja**: A later hour this day?

**MS LE COUTEUR**: No, another day. Today is going to be late enough with the budget.

**Mr Seselja**: There is a seven-week break now. Do you want to not have it referred to the committee for another couple of months?

**Mr Barr**: I don't mind. It can sit on the notice paper. It depends a little on the workload of the committee. I am happy for them to take it now if they want. I was surprised that you were so eager. I thought you would resist it.

**Mrs Dunne:** If you actually read some of our policies from time to time you wouldn't be quite so surprised.

**MADAM DEPUTY SPEAKER:** Excuse me, I think we need to decide this matter.

**Mr Barr:** The Greens need a little more time, but I am happy for it to be adjourned to a later hour at this stage.

**Mr Seselja:** Later hour this day; I think that is the agreement, Caroline. I think it is a "no" to Ms Le Couteur's motion, unless she wants to recast it. Then we could vote on it.

**MS LE COUTEUR:** I do not wish to recast the motion. I prefer that it be made an order of the day for the next sitting.

**MR SESELJA** (Molonglo—Leader of the Opposition) (11.09): I move:

Omit "for the next sitting", substitute: "for a later hour this day".

Question resolved in the affirmative.

Motion, as amended, agreed to.

## **Justice and Community Safety—Standing Committee Report 1**

**MRS DUNNE** (Ginninderra) (11.09): I present the following report:

Justice and Community Safety—Standing Committee—Report 1—Report on Annual and Financial Reports 2007-2008, dated 24 June 2009, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

The Standing Committee on Justice and Community Safety has inquired into a range of annual reports in the purview of the committee and has made 11 recommendations which cover a whole range of those agencies. We inquired into the ACT Electoral Commission; the Human Rights Commission; the Ombudsman; ACT Policing; the Department of Justice and Community Safety, including the Emergency Services Agency; the Director of Public Prosecutions; the ICRC; the Legal Aid Commission; the Public Advocate; the Public Trustee; and the victims of crime support program.

We made 11 recommendations. Those recommendations range from advice to the Department of Justice and Community Safety about the quality of their report, which was not very high in comparison to some of the other reports that we have seen come before us, to a range of important public policy issues in relation to, for instance, the

real-time, around-the-clock monitoring of the CCTV network and a progress report on the value of outstanding fines owed to the territory and what has been done to improve the rate of collection.

The members of the committee, through a number of their inquiries, have expressed concern about the level of especially detoxification services available at ACT correctional facilities. The members, when they visited the AMC before it opened, raised concerns about the level of detoxification services. We have asked that ACT Corrective Services and ACT Health keep the committee briefed on the provision of detox services at ACT correctional facilities.

In relation to reporting in relation to the Emergency Services Agency, we thought that there was very little said about one of the great good news stories of the ACT, the Snowy Hydro SouthCare helicopter. It was not possible for members of the public to find out about the number of missions. We have recommended that there be more reporting about the Snowy Hydro SouthCare helicopter in future reports.

Members of the committee expressed concerns about the vulnerability of low income families in relation to increasing fees for water and electricity. There are recommendations for the government to look at ways of establishing perhaps a rebate system for families and individuals who are adversely affected by high water pricing.

There was considerable discussion about the case management computer system for the Human Rights Commission. It has been problematic for the commission and we have asked for regular updates until that system is installed and operating effectively. There was discussion with the Human Rights Commission about proposed amendments to the Discrimination Act which might include things like racial harassment and religious vilification. We have recommended to the Attorney-General that he conduct thorough consultation about any proposed amendments before that legislation is brought forward.

In hearings with the Public Advocate, the Public Advocate spoke about her work in providing an analysis of service provision for people discharged from the Psychiatric Services Unit, which is important work. It was our view that the Standing Committee on Health, Community and Social Services should be kept abreast of that; we have recommended that the Public Advocate take that matter up with that committee.

In dealing with the Public Advocate and the Public Trustee, we have also recommended that we look at the feasibility of establishing a register of enduring powers of attorney in the ACT.

We were concerned about the resources of the Director of Public Prosecutions. They have been improved in the last budget, but we were concerned that they were providing free services to a range of agencies, especially the AFP, which should have been paid for. We have asked the attorney to raise with the Director of Public Prosecutions the possibility of developing fee-for-service proposals for the delivery to the AFP of services in relation to prosecution procedures. We understand that it is important that the police be trained well in prosecution procedures, but we think that this is something that the police should be able to pay for rather than the DPP paying for it free of charge.

I commend the report of the Standing Committee on Justice and Community Safety inquiry into annual reports and I look forward to the government's response.

Question resolved in the affirmative.

### **Public Accounts—Standing Committee Report 3**

**MS LE COUTEUR** (Molonglo) (11.16): I present the following report:

Public Accounts—Standing Committee—Report 3—Report on the 10th Biennial Conference of the Australasian Council of Public Accounts Committees (ACPAC), dated 11 June 2009, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I am very pleased to present this report. ACPAC meets every two years in a conference which is also the annual meeting of the relevant auditors-general. As a new member of the public accounts committee, I can certainly say that it was particularly valuable for me to attend it. Some of the things I have been saying about the importance of auditors-general have been influenced by meeting other auditors-general and the other public accounts committees at that conference: the universal view of the public accounts committees was that their auditors-general are absolutely essential and invaluable; in particular, their performance audits are essential and invaluable.

This year's conference was held in Wellington, New Zealand. There were approximately 100 New Zealand and Australian delegates and observers at the conference. In addition to the Australian and New Zealand delegates and observers, it was very interesting to find that there were representatives from Fiji, Indonesia, Papua New Guinea, Solomon Islands, the United Kingdom, Namibia, Vanuatu, Kiribati, Timor-Leste and South Africa. It was truly an international conference. It was very interesting to hear what other jurisdictions were doing. Some of them were quite different from us and very, very interesting.

There was a high-quality, varied conference program. The conference theme was "sharing lessons, seeking improved accountability, facing new challenges". I presented a paper called "Understanding accountability". Given what I have been saying to date, I guess you can appreciate that the major theme that I addressed in it was accountability and how sustainability related to that and how accountability was a key part of sustainability.

I am very pleased that in the final conference communique sustainability was recognised as part of this. It was very interesting, because at the beginning of the week people were saying, "We are not so sure about the sustainability." Sorry, I said

week, because it just felt that way; it was three days. As the three days went on, everyone was reporting on the things that they did, and actually everybody was working on sustainability issues. One of the more interesting auditor-general reports was from Tasmania, about species elimination. If we are not talking about sustainability with species elimination, I do not know what we are talking about.

It was a very valuable opportunity for all of us. I commend the report to the Assembly. I thank very much the committee's secretary, Andrea Cullen, for basically writing the report. I think it is possible that other members may wish to speak on the conference.

**MR SMYTH** (Brindabella) (11.19): I would like to concur with the comments of the chair of the public accounts committee. I would like to thank the secretary of the committee, who has produced a remarkable report about a very dry conference—a whole lot of public accounts committees talking about economic issues.

**Mr Barr:** Sounds like an awesome experience.

**MR SMYTH:** Oddly enough, it is very much a grounding experience, because the principles that have been discussed in these conferences over the years often tend to be the same thing. The progress is slow but steady.

The interesting thing that a number of the speakers focused on was the roles of auditors-general. We were very lucky to have address the conference the chair of the British public accounts committee. I have to say—I think the chair of our PAC would agree—that he was perhaps the most entertaining of speakers. He had this tremendous sort of plummy English accent and that air of understatement, but he was quite entertaining.

The other highlight of the conference was at the dinner. The address was given by the Governor of the New Zealand Reserve Bank. He got up to give a speech, which basically went along these lines: "The crisis started in Central Asia; it moved to the Middle East, jumped into the Balkans, went to Italy, jumped into France and Germany, went across to England, went across to Ireland and went to Iceland." We are all going, "No, no. The economic crisis started in America." He goes, "It went across to Iceland, where it killed 60 per cent of the population." I forget the year that he quoted; I think he said 1347. He said, "It is 1347 and I am talking about the bubonic plague."

He said, "Now let me talk about the global economic crisis. It started in America and the housing market equities." He rattled off these things and did a parallel about how bad the bubonic plague had been, how the world at that stage had no answers and how they stumbled their way through it. He then finished by saying, "You know, we have done everything that we can across the world in terms of addressing the economic crisis, and we have done it in many different ways, but I would just like to finish by leaving you with this thought: a child was discovered in Madagascar the other day who has a strain of the bubonic plague that is resistant to all known antibiotics and treatments."

Then he just finished. He walked off and just left us all hanging there thinking, "Well, hang on. You have got to finish the story. What is the answer?" I think the point he

was making was simply that there are big issues in front of the world and there is not a simple answer. But it was a very entertaining speech and he was a very competent individual in the way that he delivered it.

But let me go to the conference itself. It is always worth going to. There is a lot of exchange between members of the various PACs about what they are doing and the way they conduct their business in their jurisdictions. There is a lot of interaction with auditors-general.

I would like to thank the secretary for producing a wonderful report from a good conference.

Question resolved in the affirmative.

## **Leave of absence**

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

That leave of absence be granted for all Members from the conclusion of this sitting until 17 August 2009.

## **Appropriation Bill 2009-2010**

[Cognate paper:

Estimates 2009-2010—Select Committee report—government response]

## **Detail stage**

Debate resumed from 23 June 2009.

Schedule 1—Appropriations.

Proposed expenditure—Part 1.5—Department of Territory and Municipal Services, \$312,574,000 (net cost of outputs), \$273,752,000 (capital injection) and \$385,000 (payments on behalf of the territory), totalling \$586,711,000.

**MADAM DEPUTY SPEAKER:** I remind members that when debating order of the day No 1, executive business, they may also address their remarks to the government response to the estimates report.

**MRS DUNNE** (Ginninderra) (11.25): As I was cut off in mid-sentence last Tuesday night, I was complimenting the minister on the thoroughness of his answers to questions in relation to pest plants and animals and was about to say that, if he could provide such thorough answers to questions in relation to pest plants and animals, I wonder why he could not do the same in relation to my questions on urban trees.

He did make the point, in answer to questions, that members of this place would be receiving a briefing, which was not forthcoming. Briefings are important and useful, but briefings are essentially private matters and do not put issues on the public record, as do answers to questions on notice; so I am anticipating and expecting that I will receive thorough answers to my questions on notice in the near future.

I would like to turn briefly to some of the areas that were covered in relation to pest plants and animals. There are a range of programs, as I touched on—wild dogs, feral pigs and the rabbit eradication programs. I had the great privilege the other day of visiting the Institute of Applied Ecology at the University of Canberra which does a large amount of work, both in the ACT and elsewhere, in relation to feral animal eradication.

We talked about some of the programs that are in operation in the ACT. We also talked about some of the research which is being done in relation to the stunning decline in vulnerable species such as *Delma impar* and *Tympanocryptis*, along with the golden sun moth, *Synemon plana*. I also had the privilege of speaking to some of the doctoral research students who are doing their work in the ACT.

Although I noticed, in the answers to my questions, the government is inclined to say that the alarming decline in the count of vulnerable species and endangered species is due to the drought, that is not the message that I was getting from the Institute of Applied Ecology. In fact, the scientists there say that there are probably a range of factors—overgrazing, the drought—but there is no one cause and there is no definite cause that they can see from their research. This is a matter of considerable concern. We should be concerned about the rapid decline of species that we are responsible for.

I want, in that light, to compliment the government on the manner in which it has conducted itself in relation to the kangaroo cull which has now been approved for resumption at Majura. I hope that it will be able to be completed by the end of July. I note Mr Rattenbury's comments in relation to the fact that the window of opportunity may pass us by this year. I hope that that is not the case, because I think that, although the research is not definitive as to the cause, one of the things that all of the research points to is that overgrazing does appear to have a huge adverse impact on threatened and endangered species in grasslands. I hope that we will see a satisfactory resumption and conclusion of the cull this year.

I also note in passing that, during the estimates process, on a number of occasions I asked ministers about the operation of the MOU between Environment ACT and the Department of Defence and whether that needed to be upgraded to ensure that work was done more proactively and in a more timely fashion. I also note that the Commissioner for the Environment, in answer to questions and in the lowland grassland report, referred to this MOU and called for it to be brought up to date. I commend that work to the responsible ministers to ensure that, if the MOU does not currently work—and the jury seems to be out on that—either enforce the MOU or revise the MOU to ensure that it does work in the future.

We cannot continue to put our native species at risk and in danger because we do not have the necessary instruments available to us to act on their behalf. I think it is incumbent upon the responsible ministers to ensure that the MOU between the commonwealth agencies responsible in this area is effective and can be brought into operation much earlier than has been the case. It is something that has been neglected in this process and it is an important policy instrument that needs to be brought into line.

In relation to nature conservation, I also note that the Canberra Liberals have been generally supportive of the establishment of the exclusion fence around the Mulligans Flat reserve, although I do note that over the years the cost has increased substantially. While I understand the merit of the program and appreciate the level of support that it receives in the community, I am concerned about the capacity for maintenance within the Land Management Agency.

I was approached by a range of people at various stages who expressed concern to me about this. This issue was raised again with me when I visited the Institute of Applied Ecology. The fact that there are some 20 gates in and out of the Mulligans Flat reserve causes me and others some concern. We may have spent some \$1.3 million or \$1.4 million on building this fence but it is only as strong as its weakest link. Each of those weak links is the gates. I am concerned that lack of maintenance and lack of vigilance will mean that all the good work can be undone by one simple breach of the fence.

That is a matter that the minister needs to be very attentive to. I think that we have to look very carefully at whether 20-odd gates are necessary and whether we can cut back the number of gates and that we also ensure that there is a thorough program of surveying the perimeter on a very regular basis to ensure that there are no breaches.

One group suggested to me that there would be enough people who would be prepared to volunteer to participate in a program of surveying the perimeter on a regular basis. That suggestion has not been taken up by the government. I think that the Mulligans Flat reserve enclosure will only be as strong as the fence, and I think this is something we have to be diligent about. I do not want to see the substantial investment and the possibility of important research being jeopardised because we do not have the money to maintain the fence.

I also note in passing this morning that the minister has announced the reintroduction of fees at Tidbinbilla Nature Reserve. I do not know whether I wondered aloud but I have wondered on a number of occasions whether the government ever intended to reintroduce the fees at Tidbinbilla Nature Reserve. I understand why they were taken off at the time of the fires. I do not have a problem with the fees. I think that it is unusual that they were not mentioned in the budget. The fees are going to be introduced from 1 July. We are here today debating the budget but these were not in the budget.

There is no real information available about how much of the \$150,000-odd will be ploughed back into Tidbinbilla. I hope that it all will be; that was the original plan for the fees at Tidbinbilla Nature Reserve. I know that they may not be popular, but I think that is appropriate. (*Time expired.*)

**MR SMYTH** (Brindabella) (11.35): This line also includes a number of options for which I have responsibility, including tourism and EPIC. Again, I would like to emphasise the lack of information about tourism, the lack of transparency and perhaps even confusion about spending on tourism functions and programs. There is a mix between tourism, tourism events and venues, and coordinated communications and

events in the Chief Minister's Department. We have a number of areas that seem to have a finger in a pie but what is hard to achieve is a detailed picture of how it all fits together.

It is interesting that we have the regular banter: "Have you got the numbers?" The minister says, "Yes, I have got the numbers." We said, "Can we have the numbers?" He says, "I will give you the numbers." He was able to provide them, which is lovely, but it does go to the point about the ease with which one can read the budget. We do this for a living. It is important that we know the detail in it. If the public is trying to find out—and I often have complaints from the public: "How do I find this? Where is this number?"—they have difficulty relating what is in the budget papers back to the reality.

To give the minister his due, he had the numbers there and he made them available. My question would be: "Why can't we have some of this detail laid out more clearly in the budget papers?" If they are not going to go into the budget papers, perhaps they could go in the minister's press releases. Ideally it is better in the budget papers. I think Mr Barr agreed with that. It would be good if some of the other ministers took his lead on this issue, because some of the other budget lines suffer from exactly the same problem as well.

As to Floriade, I think we all love Floriade and the presentation and the excellent reputation it has achieved. I do note the reduction in the overall visitor numbers in 2008, the split between the standard Floriade event and the NightFest. If the NightFest had not been held, then I think a case could be made that the numbers would have fallen. The innovation is good. Unfortunately, the loss on the NightFest is not good, and we will see an additional appropriation for this year's event.

There were assurances made when it was first announced that it would run to budget and be a success, but they were not met. I think we need to have some concerns about the due diligence that was undertaken to establish that baseline. When you add a new facet to an event or a new part to a program, I think we need to be realistic, particularly about what it is that we really are funding and what it is that we can achieve.

The new autumn event was also discussed during the estimates. The government proposed a new autumn event. A large part of the additional \$5 million will be spent on the autumn event. Unfortunately, we still do not know the details. Again, this place is being asked to appropriate money for something that all we know about is that it is a new autumn event and that it appears that the Stanhope government will be purchasing the event.

I refer to page 1202 of *Hansard* where I talked about a description in one of the papers about "driving the acquisition and development of a new event". It is interesting that we cannot actually come up with our own event but the minister also could not give us the detail of what that event might be.

I think that is quite fascinating, coming from the minister who squibbed at providing an initial \$300,000 or so to ensure the future of the former Balloon Festival, which

was an internationally acclaimed event that had placed the ACT firmly on the agenda of tourists from around the world and had become an iconic event that was intended to showcase Canberra. Indeed, there were plans to showcase Canberra in the centenary year when the endeavour was to get 100 balloons aloft. We will see whether or not that happens.

There are a significant number of events that already occur in autumn. As the industry has said, they were not consulted on it, but it is not the part of the year that is a dead spot for it. The two dead spots are winter and summer; yet we do not have an answer from the minister for both of those. Autumn in Canberra did not need yet another event.

I am particularly concerned about EPIC and the changes that are obviously going to occur to EPIC. The Assembly stopped the attempt by the Stanhope-Gallagher government, through Minister Barr, to drag this territory-owned corporation into the government. It is functioning perfectly well. Indeed, all we had from the minister was praise for the board about how well the board had done. If there are any failings in regard to EPIC, they have been, over time, the failings of the government. For some five years they have been after a block of land; for some five years they have been after the approval of their master plan; and for some five years they have been after some leadership from this government about the future of EPIC—all of which has been denied to them.

The minister had his plans thwarted by the Assembly. The minister also sought to save \$50,000 by abolishing fees paid to board members. Unfortunately, despite Mr Barr receiving advice that these fees are paid from the revenue generated by EPIC, he had to come back, after questions on this issue, to the committee and correct some of the evidence given. We have seen further manoeuvring on EPIC by this minister in recent days. He is proposing to replace four members of the board; so we will have a board, some of whom will be paid, some of whom will not be paid.

Then we are going to impose a new body on EPIC, a community advisory committee. I do not think anybody is against the community having a say in the running of a publicly owned facility. But the question is—and I think Mr Rattenbury raised this issue—about community interest in how EPIC worked and whether or not some members from the community and from the users could go on the board. Here was the perfect opportunity: if four members are finishing their term on 30 June, why is it that we suddenly seem to need a new body, an EPIC community advisory committee, on the process of managing EPIC? I find it quite strange. According to the minister's press release:

The Government will also seek to establish an EPIC Community Advisory Committee to work with the new Board to provide greater community input into the running of the site.

I asked a question on this. It is not just to the board; it will be to the minister and it will be to the department. I hope the volunteers who get on this committee have a lot of time, because they are going to be running from meeting to meeting, to meet the needs of a minister who fails to meet the needs of the existing facility by the process that this government has put in place.

Who is this clever minister who, on the one hand, sought to save funds by cutting fees, yet, on the other hand, is increasing administration by imposing a new body who will advise all but seemingly be responsible to none? We do not seem to know how it will fit into the whole scheme of things. The question is still there: why did the minister not simply seek one or two community representatives for the board? I do not think this minister has any idea about microeconomics and micromanagement, as he clearly has no idea how to save costs with managing EPIC.

If this was not bad enough, the minister then sought to tarnish the reputation of current and former members of the EPIC board, accusing the board basically of misappropriating funds. I refer to page 1206 of *Hansard*:

In fact, the reserves—

speaking about the reserves that EPIC have—

that this organisation has have largely been from government appropriations, as I think I have indicated before ...

That suggestion has never been made. The minister should talk to the board. The minister should apologise to the board. It is a result of their prudent management—the management that he, in this place, praised them for, saying that they have done a really good job. But then he seeks to undermine that praise by saying, “They actually have not done what I have said they have done; they have simply taken money that was appropriated for other things and put it into their cash reserves.” There is no evidence for what he said; there is no basis for it; and they are completely inappropriate comments. It is simply an inappropriate way for a minister to act.

There then remains the issue of the master plan. It has never been seen by this Assembly, to my knowledge. If there are concerns about the strategy, then the government need to give some leadership and the government need to show some leadership and give the board some direction. Instead, what the Stanhope-Gallagher government do is steal the board’s concept of cheaper accommodation on the EPIC site. For five years the board of EPIC has sought block 751; for five years they have been denied that; and now we know that the government will sell it and make the profit themselves, instead of securing the future of EPIC.

Accommodation is integral to so many of the events that are run at EPIC. It is important that we get this right; it is important that the accommodation there matches in with the planning regime that EPIC has had so that a block booking, for instance, for the National Folk Festival can be made. The easiest way to do that is to allow EPIC to have the block. But of course the government, for reasons that still have never been fully explained, have not responded. For five years the board have been seeking confirmation of their master plan and for five years they have been stymied in that.

I think the minister and the Stanhope-Gallagher government should be condemned for the way that they have acted towards EPIC and for the way that they have slowed down the progress of EPIC in this way. (*Second speaking period taken.*)

We then get to other issues inside the broader TAMS portfolio which other members have addressed largely. I want to comment on one matter particularly, the Tharwa bridge. There was some discussion when the Minister for Territory and Municipal Services was there and there was an incorrect accusation by that minister about statements made by Minister Hargreaves concerning timber to be used for restoring the heritage bridge. What the community was told was that the bridge could not be repaired because the timber did not exist. There was some discussion about that.

I want to put the words on the record here. Mr Hargreaves, on 25 September 2007, in regard to the timbers, said, "They are not available anymore." That is what he said, quite simply. In answer to a question, he said, "We cannot do it because they are not available anymore." Yet we now know that the timbers are available. The bridge is being restored. I think the Minister for TAMS, the Chief Minister, should check his facts before throwing such accusations around.

**MR RATTENBURY** (Molonglo) (11.46): I want to make a couple of brief comments on the Department of Territory and Municipal Services, particularly in relation to sport, recreation and tourism. I did raise an issue around the Brumbies funding the other night, which I think Mr Barr might speak to when he gets up, and I look forward to that.

The other comments I wanted to make really are around the sport portfolio. I have mentioned this before, but I think there is still a need for some sort of strategic vision on sports funding. We discussed this as a matter of public importance one day. I raised some questions in the estimates hearings with Ms Marriage, who is the Director of Sport and Recreation Services. I think there is a fundamental difference of views here. The view was put by the department that we could not have a long-term plan for sports funding because that would result in inflexibility. The comment was "we do not want to have a static document because that does not do anything except put a list of expectations or a wish list in place".

I guess my view is that it is possible to have a long-term strategy and that there really are concrete examples of why we need to do this, and I cite as an example our equestrian and horse paddock facilities. I attended a recent meeting with representatives of the equestrian scene here in Canberra and they were talking about the loss of horse paddocks around the city as a result of urban and other development. That is an inevitable part of the growth of the city, but what we are not seeing is the provision of new areas. We are not seeing a plan that sets out where the new areas are going to be as we consume the existing ones. That is an example of the kind of long-term planning that we need to do.

I think the Deakin pool, which we discussed at some length in the earlier part of the year, is another example. That was clearly a ticking time bomb. We knew it for some time yet there was no plan to deal with either that site or a possible alternative facility. Currently there is a shortage of indoor sports facilities, which I have also talked about in estimates, with sports such as basketball having to turn away potential new participants. Table tennis is turning away potential new participants. These kinds of shortcomings could be addressed in some sort of strategic plan.

What we have instead is basically individual sporting groups going cap in hand to the government, each and every year, trying to get to the top of the queue and competing with each other. It is quite clear that sports organisations have got much better things to do with their volunteers' time, because most of these organisations are run by volunteers. I suggest that they have got much better things to do with their time running their actual sports rather than have to lobby the government each year for help.

If the government was able to put together some sort of strategic plan, the sports could get on with their core business, which is providing great sporting opportunities and not having to worry about lobbying for new facilities all the time. I do not think it is mutually exclusive to have a long-term plan and some flexibility. I think we can still envisage some of these things that we will need over the next decade, but have flexibility, with a review every two years or so. We could decide that such and such a sport has really taken off and we need to put a bit more emphasis on that or that for a sport that is not growing as fast maybe we will defer a development or a new facility or some new infrastructure. I think it is possible to actually do this and provide some certainty for the sports organisations while at the same time retaining the obvious necessary flexibility.

Similarly on sport, I want to briefly discuss indicators. There was a really interesting exchange in estimates, where I asked about a survey on the level of satisfaction with the management of sports grounds and ovals. There had been a slight drop-off in the level of satisfaction and that, of itself, is not especially contentious. But when I asked the department why, they said that their survey did not actually explore the reasons. They explore the level of satisfaction, but then they do not ask people why they are dissatisfied and so they can only speculate.

This is not a major issue, and Mr Barr seemed to acknowledge this. This is probably not the best approach in estimates, and I want to encourage all departments, really, when undertaking these kinds of surveys to think not just about doing the surveys to be able to fill in the box on the budget papers but to really garner information so that we can get the best possible expenditure of money and also the best possible prioritisation of departmental resources. The sports sector is one that could always warrant more resources. They are not always available and we really need to use the ones we have in the best possible way.

I was going to speak briefly about EPIC. Mr Smyth has covered that in some detail. I think there is a real challenge there as EPIC goes through a bit of an uncertain time now. I am not entirely clear what the minister's plan is. As I said in the debate in here a couple of weeks ago, I think there is real opportunity, with EPIC now being in Mr Barr's portfolio, for it to get better attention and that it work more closely with TBE. I have put the view that there still is a role for the board. This is a time when we need some real clarity, and again I would welcome from the minister a statement perhaps in this place around his vision for EPIC so that we can move forward.

I think it is a wonderful asset for Canberra, and having community members on the board is a valuable thing. I am unclear about this community advisory council and

what role it is going to play. I have obviously encouraged the community having a place in the future of EPIC, but the purpose of having a board and a separate community advisory council is unclear to me. It is not clear who the community advisory council will report to, what their mandate is and where their advice will go. I encourage the minister perhaps to use either the budget debate or perhaps a ministerial statement in the August sittings to offer some thoughts on the matter because I think it is a good discussion to have.

Finally, I want to comment on tourism. This is an area, to be honest, where I am still trying to work my way through some of the funding issues. Mr Smyth commented—it is an issue that does apply across a lot of portfolios—that the lack of breakdown of the budget lines is very frustrating. I noted the comment in response to the estimates committee report recommendation that more details be put in the budget paper. The government declined because it requires significant investment and resources to make these figures available.

Frankly, I think it would be a lot easier just to do it in the budget papers or an attached CD-ROM to break down some of the expenditure areas rather than having to go through it all in estimates. We probably could have worked through estimates a lot more quickly if some of this information had been available. I certainly felt at times that I was asking questions in estimates that probably were a bit boring for people because we had to drag out some of the details that potentially could be provided very easily. They are not contentious areas; it would just be really handy to have them. I encourage the government to reconsider their response to that recommendation from the estimates committee.

On tourism, aside from the fact that it is a bit hard to penetrate the single lump of money, I appreciate answers that we were given to questions on notice. I want to comment on Floriade and the strategic plan around that. I was really surprised when I read the strategic plan. I quite liked the vision of Floriade, but the lack of time lines, the lack of indicators and the lack of concrete targets were very surprising.

There was a whole bunch of environmental initiatives in there, which I welcome, but there is no real clarity on how much or by when—those kinds of measures. I used to work in the not-for-profit sector. If I had presented a strategic plan like that—and I had budgets about the same size as Floriade's when I worked in the NGO sector—it would not have been passed by an organisation. My boss would have laughed at me and told me to go back to my desk, get on with it and produce a real plan.

I would encourage an improvement in the quality of these plans to give us better clarity and to give us a sense of whether we are making progress on a strategic plan or whether we need to reconsider the strategic plan because the aspirational statements in this strategic plan are not good enough. I think our public service is capable of a more professional output.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (11.55): I thank Mr Smyth and Mr Rattenbury for some of the more constructive comments in relation to tourism, sport and recreation. It is my fourth

budget in this area. Normally Mr Smyth is at a volume and an octave considerably higher than he was this morning so it was very pleasurable to sit through his contribution this time as opposed to, say, at three in the morning when he is screaming at me like a banshee. But that is all right. It is a pleasant change.

I go firstly to the recommendations from the estimates committee in relation to tourism, sport and recreation. As members will see from the government's response, we have agreed, agreed in principle or noted each the recommendations. I will just make one small observation around attention to detail in relation to recommendation 88 of the committee. They have got the wrong minister in relation to who should release Floriade data. It is the minister for tourism, not the Minister for Territory and Municipal Services who has responsibility there.

Whether that small error undermines the rest of the committee's recommendations is a matter for judgement. I will take it as a slip-up, that what the committee meant was that the minister for tourism should release that data. We do, but it is important to note that it must be independently evaluated and audited and it will then be released. Given all the debates that we have had in relation to matters of audit in recent times, I am sure the Assembly would agree it is important that that information is independently audited and is reliable.

The budget in sport and recreation contains a number of key elements of Labor's election platform, most particularly the funding for the new basketball centre and player amenities, the upgrades to Griffith oval, the upgrade to the Woden Gymnastics Club and further funding for the continuation of development of the Lyneham sports precinct, and it is in this context that I find Mr Rattenbury's comments about long-term strategic plans interesting in that there has been a development of a master plan for that precinct. That goes back over a period of time. The development has been funded in stages, providing support for each of the tenants on that site, each of the sports that operate on that site.

We have provided not only capital works assistance for government-owned assets and infrastructure around that precinct but also direct cash grants to the sports themselves to enhance their facilities. The underlying principle there, and this is something that Mr Smyth and Mr Rattenbury would have heard me talk about during the course of last year's election campaign, is around providing assistance to sports to help them generate their own revenue streams. But in the longer term we need our sports to be more sustainable and less reliant on government funding. There is not enough money for every sport in the territory to have all its operating costs met by either user fees or government funding. Sports must generate other sources of revenue.

This government believes that we can assist sport to achieve that through a variety of measures. In some instances it is around providing capital infrastructure grants that will then enable the sports to develop revenue streams. In other instances it relates to the zoning of land through the planning portfolio; for example, around how we can assist sports to be more viable in the long-term. But it is my longer-term vision that we see sports more able to stand on their own two feet and that they become less reliant over time on government funding, particularly those established sports that have parent bodies in this country that benefit significantly from, for example,

television revenue and other competition fees and associated revenues that come from the success of their sport.

That will, in turn, free up government resources to assist other sports that perhaps do not get the same level of commercial support either through television deals, sponsorship or the like. That is an important balance to strike between those elite level sports and some of the more grassroots sports or the sports that will develop over time in this territory.

Of course, in balancing that, in terms of allocation of resources within the portfolio we need to be cognisant of the levels of participation in the variety of sports. There are some sports that have a very clear argument that they have the highest levels of participation and so should be entitled to a greater level of support. In all things in public policy, it is about striking a balance. The government believes that we have struck that balance effectively through support of elite teams that of course play a significant role in promoting this city and promoting healthy lifestyles through their achievements in terms of inspiring the next generation of sporting participants. But then also, we cannot neglect community-based sport.

It is my view that we have struck the right balance, that the funding that you see in this year's budget, not only around the current support for the operation of community-based sport in the territory but also some significant targeted investments in improving capital infrastructure for a large number of sports, is appropriate and timely. It is perhaps with some sadness that the Liberal Party have decided not to support the budget and so will be voting against each piece of investment in sporting infrastructure. It is particularly odd, given that their sporting policy in last year's election in terms of their infrastructure position was almost an entire lift of what the government was proposing. They said, "Yes, we support everything the government is putting forward and we might do a couple of other things after a review." That was essentially the Liberal Party's sport policy last election. They supported then each of these infrastructure investments.

But it appears that when push comes to shove and we have to vote on the matter, they are not game to vote for improving the Woden Gymnastics Club, for the second phase of funding for the Lyneham precinct around the Tennis and Sports Centre, for the improvements to Griffith oval, for the delivery of a leisure centre in Gungahlin, for the delivery of the Gungahlin enclosed oval, for the Basketball Centre of Excellence, for the motor sports fund, for the mountain bike trials and world championships, and for the "where would we play initiative" around drought-proofing our sporting facilities. That is disappointing. Nonetheless, the Liberal Party will have to defend their position on that matter.

In relation to tourism, clearly the government invests a significant amount of money in tourism. There are some new initiatives in this year's budget, again meeting our election commitments around a new autumn event and more support for domestic marketing activities. It is very pleasing to be able to deliver on that election commitment in the first budget of this four-year term. We are all eagerly looking forward to the announcement of the new autumn event and, of course, I will look forward to making that announcement.

Clearly, when I do so, I will be accused by those opposite of media spin. I take that as an acknowledgement that I am doing my job well. If I am upsetting the opposition party so much in relation to the level of media coverage that I am generating in my portfolios, then that must mean I am doing my job well. Again, I commend my office for a sterling job in relation to promoting these portfolios within government and within the broader community.

It is important that we continue to invest in our tourism sector, with \$1.3 billion worth of economic activity generated and around 13,000 jobs. That is why the government is investing significantly in front-line delivery, particularly around a new event and particularly around domestic marketing. We believe that is where the priority in new investment and tourism should be, not in re-establishing statutory authorities and not in investing in more ministerial support and administration. We believe we should be putting our extra money in tourism into the front line, into domestic marketing and into events. That is a key element of this year's budget. I thank members for their comments in relation to tourism, sport and recreation. I refer them to the government's response to the recommendations of the estimates committee report.

Mr Speaker, you asked a specific question in your first contribution in relation to the Brumbies. I can advise that the three different elements of the Brumbies support package relate to a one-off top-up of their performance agreement. That is the \$300,000 that you referred to in your comments. There is a repayable loan of \$170,000, and then a further exemption on payroll tax that was \$250,000 has been increased to \$500,000. Of course, with the performance agreements for the Raiders and the Brumbies expiring at the end 2009, we will continue our negotiations with both organisations around finding a new arrangement.

Finally, on EPIC, I will certainly seek to make a ministerial statement in the next sittings in relation to the future of that organisation.

**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) (12.05): I just wish to formally acknowledge the contribution of the estimates committee and members in the debate on TAMS. The government finds itself able to agree on a significant number of issues that are raised in the estimates report. Some recommendations are quite good sense and raise issues that the government is more than happy to respond to. Some issues have been raised where we do not agree. Those are issues that have been agitated long and often in this place on aspects of ACTION and some other aspects of ACT government operations in relation to Territory and Municipal Services.

I do not feel the need, beyond the response which the government makes and the response to the estimates report, to re-agitate those today. I simply rise today to acknowledge the contribution of members to this particular debate and to thank them for that contribution. I acknowledge that some recommendations are quite good sense, are quite reasonably made and are accepted by the government. On others, it would not be a surprise to anybody in this place that the government does not see eye to eye

with others. We will no doubt continue to argue and agitate about those as we go forward. Mr Speaker, I thank all members for their contribution.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.6—Shared Services Centre, \$5,814,000 (net cost of outputs) and \$5,742,000 (capital injection), totalling \$11,556,000.

**MR SMYTH** (Brindabella) (12.07): Mr Speaker, the estimates committee this year was intent on determining whether, after a couple years of operation, the Shared Services Centre was achieving its objectives of delivering efficiencies and savings. The Chief Minister, the Minister for TAMS, took a question on notice where he quoted back to me the budget papers as justification that the savings have been achieved. You can read these numbers and add them up and, yes, that appears to be what was said. The evidence to the estimates committee this year appears to indicate that reasonable savings have been achieved. Whether or not they have been, I guess, will always be subject to conjecture.

I placed a number of other questions on notice about the process of review and benchmarking. It was interesting to see the variety of answers that came back. For instance, when you check whether InTACT is reviewed, this is the answer that came back: “As indicated above, a peer assessment takes place on an informal basis with other jurisdictional shared service organisations and more formally as an element of benchmarking exercises.”

I am not sure how many other jurisdictions have put in the shared services model. We know that Western Australia certainly has. I would be intrigued if the minister, when he rises to respond, can tell us what “an informal basis” of peer review is. Peer review normally has a process that it follows so that those with the knowledge of what it is you do and the working area that you are in—based on their knowledge—can tell you how well you are doing. I am not sure whether “an informal basis” means a beer at a conference, a phone call with a latte at hand or some other format. Perhaps the minister, when he responds, can tell us what “an informal basis” is and how acceptable that is. There are others where they use user groups. There are some annual reviews, some are biannual and others are even less defined. The answers to the questions do not provide any of the results of those reviews. There are some reviews done, but we do not know what the reviews say. Perhaps the minister can take it on notice and come back and tell us exactly what all these reviews lead to. He may well have knowledge of it with him now.

The next step in the process was to try and quantify the savings that are being achieved and the efficiencies that have been gained. I note there is a process for comparing performance across jurisdictions in Australia. Again, some of these are formal processes, as with the Human Resource Services, and others are described as informal processes—as I have already said—with the InTACT services. I have some concerns about informal processes as a way of determining how you are performing both in the savings and the efficiencies. Again, perhaps the minister can tell us what that process has led to.

I am interested in the outcomes of that process, particularly given the experience in WA. Their costs actually blew out when they were setting up their shared services structure. I do not believe they gained the savings that they thought they would for many years after they were meant to start. There is a specific incidence of this in Human Resource Services. A formal benchmarking process takes place in areas of recruitment and payroll. This process compares jurisdictions. Again, minister, it would be interesting to know what was the outcome of these comparisons. I think it is particularly pertinent given the issues that we had as a jurisdiction in bringing Chris21 on line in the first place.

If the minister had some answers for us or if he wanted to take those on notice and get more detailed answers for the Assembly in a later time frame that would be acceptable. I understand that the information might not be readily to hand, but again there is just that cloud over the shared services. As for referring somebody to the budget documents as justification that something has been achieved, lots of budget documents have not achieved what was contained in them. To say that you have informal processes or that formal reviews are done at various times and not provide any answers as to what the outcomes of those reviews were leaves a cloud hanging.

**MS LE COUTEUR** (Molonglo) (12.12): I would like to speak, first of all, about InTACT. This is an area where it seems we have managed to have a situation where the environment and the economy are coming together. The evidence given to the committee was that a couple of years ago InTACT stopped leasing desktops and are now purchasing them. As part of that arrangement they used to keep their fleet for three years. They are now keeping it for four years, which means not only that we are saving money but also that we are saving the considerable disposal costs of PCs, more so for the environment than the economy. This is a really good example of where the environment and the economy can go in the same direction if we choose to do so.

From InTACT's point of view, though, we are less pleased to see their views with respect to open source software. While they did say they were using some of it in their service—and I am sure they are using a lot of it in their service—they are certainly not prepared to use it on desktops. I am one of the many users of InTACT desktops who are frustrated by this. I strongly support recommendation 74 of the estimates committee, which states:

The Committee recommends that the ACT Government renews its commitment to open-source software, and that it uses open-source software where appropriate.

On finance, that appears to be working well, but I will just make one comment about how the shared services model seems to be working. When one of my staff inquired about an electronic payslip, which in this day and age seemed a fairly reasonable thing to do, they were told that the Assembly is too small to purchase the software module itself. I will pursue this later with questions to the government, but I just cannot understand how there can be shared services if we have agencies having to buy their own software modules. Is that not the whole idea of shared services and why we brought them all together—so that small agencies such as the Assembly are in a

position to use things like electronic payslips and save paper and effort when people are trying to find a payslip and cannot? I speak from experience there.

The other area I would just like to comment on is procurement support services—this is always a difficult, controversial area—and put a brief plug in because PAC is currently doing an inquiry on this. It was touched on to some degree at the estimates hearing. We talked about social tendering and the timeliness of the government's responses, particularly when there are large and complex tenders and particularly if for some reason the government decides that the original tender could not be proceeded with exactly as per tendered. The poor tenderers could be sitting around for a long time trying to find out what was going on. There are also some questions with respect to the tenderers and the stimulus package.

I guess my final comment would be that I think shared services could well be an area where the government could consider the possibility of some increased investment with the aim of producing overall efficiency dividends. This might be an area where there could be comparatively painless efficiency dividends, which is, of course, what we all want.

**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) (12.15): I thank Mr Smyth and Ms Le Couteur for their contributions. I will take on board some of the supplementary questions which Mr Smyth asks. I do not have answers to some of those issues here. I must say, Mr Smyth, I am more than happy to seek to pursue them or, alternatively, I would be more than happy to arrange for Mr Vanderheide, the head of Shared Services, to provide a briefing to you. It might be more useful to you in the context of those issues you raise around benchmarking and assessment of outcomes and output, and I am sure Mr Vanderheide—

**Mr Smyth:** That would be lovely. Thank you.

**MR STANHOPE:** I will ask my office to arrange that with Mr Vanderheide and you. I am very aware, Mr Smyth, of your continuing scepticism about costings and cost savings. The savings that are revealed in the budget are real. It is a fact, Mr Smyth, that the ACT Shared Services Centre is a model of successful co-location of services; it is. Mr Vanderheide would be in a position to advise you of the representations that we have received from other jurisdictions around Australia—the successful aspects of the model, why it has worked and the way in which it has worked.

I do not disagree that there were teething issues with the Western Australian introduction to shared services, but I understand that the Western Australian shared services centre is achieving very significant savings for the Western Australian government. The ACT Shared Services Centre certainly is, and it has from the outset. I can do no more than point you to the budget papers to reveal that the savings declared and claimed in relation to shared services have in fact been achieved. I can give you that assurance. I understand and acknowledge, and I will pursue with you, those other issues. It might be that we will never agree on this, Mr Smyth, but those are the facts as I see them and present them. I am sure you will continue to agitate.

Ms Le Couteur raises issues in relation to InTACT. I am very aware of her very deep interest and understanding of issues in relation to IT and some of the issues around open-source software that were raised, most particularly by Ms Le Couteur, through estimates. We note the issue. It is a significant issue. We have responded. But we will keep an open mind in relation to those particular issues.

Shared services are now located in TAMS, responsible for providing services across the board for ACT government agencies in relation to human resources, and indeed IT through InTACT is a very significant part of the ACT government. It is at the heart of efficiencies that we have driven. It is successful. It is a model of shared services and the success of shared services for other governments around Australia, and the government acknowledge the estimates committee report in relation to it. We have responded, and I again thank members for contributing to the debate.

**MR COE** (Ginninderra) (12.19): I am sorry to disappoint you, Mr Speaker, but I am rising to speak on this issue very briefly. I just thought I would put on the record my support for Shared Services investigating open-source options. I must admit I was surprised when the estimates committee heard that the total cost of ownership, including all costs beyond licence fees, is often equal to or more expensive than proprietary software. I have not done any research into this, so it is not really based on a great deal. However, the substantial savings that you make in the licence fees and not paying the licence fees I would have thought would have substantially offset future costs. So I think it would be worth doing a proper analysis of the full costs of open-source software versus proprietary software.

Some of the open-source software is really very well developed, with a very big community developing it. Whether it be Firefox, FileXilla, Audacity, OpenOffice, Linux, or whatever it might well be, I think all these products are very well respected in the IT world. So I would be very surprised if they do not actually have a place in the ACT system somewhere along the line.

On the broader issue of shared services, I think there would be many instances whereby centralising services would be able to offer significant savings, but it is very important that we keep analysing the costs, keep analysing the model, because when you centralise something not everybody knows it is actually occurring and there is a fair chance that you will get duplication down the line somewhere. So it is very important that Shared Services do convey to all facets of the departments the work that they are doing and the work that they can do to make sure that duplication is not happening down the line.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.7—Department of Treasury, \$42,496,000 (net cost of outputs), \$33,094,000 (capital injection) and \$33,472,000 (payments on behalf of the territory), totalling \$109,062,000.

**MR SMYTH** (Brindabella) (12.21): Mr Speaker, in some ways a very important part of the discussion of the Appropriation Bill is the Treasury and what is contained,

particularly in budget paper 3, about where the government sees the budget going and how the economy is going to perform in the next couple of years.

I would like to start with the reasonable request that was made of the government, through the Treasurer by the estimates committee, for a technical briefing on how the budget is put together—a non-confrontational briefing. It was not about politics; it was simply to tell us where you are coming from, how this works, where it all fits together. There were a number of new members on the estimates committee in particular who were interested in this briefing—and, unfortunately, it was denied. It was to seek appropriate information. It was to assist the process of understanding the budget. It was to provide some analysis of the budget so that we could understand.

The shame that it was denied I think is, again, symptomatic of the attitude of the Stanhope-Gallagher government towards openness and accountability. They say, “Work with us.” We have heard the Treasurer a number of times this week say, “Come on; work with us.” People actually asked for that to occur and it was thrown back at them: “No, you’ve had enough briefings. You can read the budget papers and you’ve got estimates coming.” The contradiction there is unfortunate and, if the Treasurer, for instance, is going to stand and say, “We want to work with you,” she should actually do it. It is easy enough to mouth the words when people make reasonable requests. Why don’t we see what we can do to make them happen?

The state of the economy, particularly the world economy, has, of course, a big influence on what happens here in Australia, and what happens in Australia influences the ACT. There has been an awful lot of commentary provided following all the budgets from all the jurisdictions across Australia. All jurisdictions had to cope with the fallout from the global economic crisis, and a critical factor that differentiates the responses of jurisdictions is whether they have a plan to guide the recovery from the effects of the economic slowdown. And we have emphasised that the Treasurer and the Stanhope-Gallagher government do not have such a plan.

It is clearly enunciated on page 19, their total plan, particularly for the current year, where we see in the chart at the bottom of page 19 that revenue assumptions and expenses for the year 2009-10 are simply zero. I think that summarises their plan. Yes, they say there is a plan there. But what is the activity? What are the outcomes? What can people expect from this years’ budget? The answer is there in black and white on page 19: absolutely zero.

All we have on the table to date is a prognostication of possible budget outcomes over the next few years and a revision of these following the federal budget. We get a broad notion of what borrowings might be undertaken for spending on infrastructure and we have got a commitment to consult with the community about the next budget. That is not really a plan for recovery. More particularly, there is little room for flexibility if the forecasts do not work out, if the growth rates that are predicted are not realised.

I note an article from Tuesday’s *Canberra Times*—indeed, all papers across the country carried similar articles—by David McClennan entitled “Gloomy tone in economic forecasts” and the first paragraph says it all:

The World Bank has downgraded its forecast for economic growth, warning the global recovery will be more subdued than previously expected.

And I note the conclusion from the *Australian Financial Review* editorial on 17 June, which is Wednesday last week:

None of the states—

I think you can read “territories” in that as well—

has any credible plan to repay debt if everything fails to go according to schedule, and chipping away at the public service doesn’t deliver the required savings. They need a contingency plan ...

I do not think it could have been summarised any better than that. With respect to the ACT fiscal status, we truly are on a wing and a prayer. Again, with apologies in this case to Ross Peake writing in the *Canberra Times* on 13 May in regard to the federal budget:

Wayne Swan’s second budget floats on a bubble of hope and an ocean of debt.

You could say that was equally applicable to this jurisdiction where we have got a Treasurer saying we may have to borrow up to \$550 million “but we can’t tell you what savings will be made, we can’t tell you where they will be made, we can’t tell you when they will be made”. Yes, there are numbers outlined in this supposed plan in the budget, but I do not think any of it has any credibility at all.

Given the strength of the Australian economy in the global context, we could be—maybe should be—feeling quietly confident about the future. But I think there are significant concerns that still should be very evident, and our immediate concern is that the Stanhope-Gallagher government has not sufficiently prepared for the unexpected. There are, and there continue to be, notes of caution about the estimates about the global economy in general and about particular regions and particular countries.

On Tuesday this week it was interesting to note that the Australian share market fell by 120 points or about three per cent. And the reason for this fall? It was largely as a result of the report from the World Bank which suggests that global economic recovery will be more subdued than previously thought. It is covered quite well in the article and, if you take this into the context of what the government have put forward as their estimates for growth in the outyears and the way that they will attempt to manage, it really does rest on a wing and a prayer.

I think we also need to make some comments in response to the views of the Treasurer about the forecasts contained in her budget. Assumptions appear to be being made that the current recession is simply another recession and that, like all the economic cycles—we had the lectures from Ted Quinlan for several years about economic cycles—there are ups and there are downs. Contrary to the way that they were linked to election cycles, there is an assumption that we will just simply pull through this difficult time.

**Mr Coe:** Guesswork.

**MR SMYTH:** It is guesswork and it was said quite succinctly by the Treasurer when she took the job up, and related in the *City News*: “It’s just a matter of guesswork.” So you have this assumption that we will simply pull through this difficult time because the cycles all come out of the cycles, especially following the enormous stimulus packages that have been put in place.

I want to emphasise that there is considerable strength in arguments that seek to distinguish this recession from those in the 90s and the 80s, for example. In the current global economic slowdown, we have two significant features. First, there is a coincidence of effect across all developed and developing countries, which means that no developed or developing country can rely on another country having a strong economy to keep trade moving and such like.

Second, a major consequence of this recession is the de-leveraging that is taking place by both companies and individuals, for reasons that I do not have time to deal with now. Debt held by companies and individuals has exploded over recent years. The result of these very high levels of debt has been either that debt has been reduced or that a company or an individual is declared bankrupt. Where entities continue in business, capital is raised to enable the debt to be reduced, and this is a significant difference between this and earlier recessions.

It is for reasons such as these that I argue that this is not just another recession. This means that the forecasts of economic and financial parameters contained in the federal, state and territory budgets, all made only a few short weeks ago, should be treated with considerable caution.

These matters of themselves are not necessarily concerning. What is concerning, however, is that if the recession is stretched over a longer period it will take longer for revenues to return to normal, it will take longer for budgets to return to surpluses and it will take longer for debt to be paid down. It is imperative that the Treasurer provide updated forecasts for her budget parameters because of the changes that continue to take place. I am happy to stop there and just pick this up afterwards, if that is acceptable to—

**MR SPEAKER:** Do you want to finish your 10 minutes?

**MR SMYTH:** Okay. I will finish the 10 minutes. The point to be made here is that I have seen a number of charts that seem to have a number of predictions from various economic commentators about what the nature of this downturn is; that there is a V where it will just bottom out and it will bounce back. Those, basically, are the predictions that you are seeing in the forecasts that the government have put forward. Yes, it is going to bottom. Yes, it is going to slide. But then, magically, it is just going to pick up. There is this beautiful curve—well, it is not even a curve; it is just a straight line that goes straight up, heavenward, again.

Some analysts are saying there is a W effect, where it will dip, it will seem to recover but then, if there is any damage to confidence, it will dip again, so you will get a very

deep W effect, so that there will be a double whammy on economies. Of course, the other line is an almost flat-line effect where it will reach a bottom, which some seem to think we have reached now, and it will just bounce along that bottom for an extended period of time with—

**Mr Coe:** Like an L shape.

**MR SMYTH:** It is not really an L; it comes out at some stage. I will pick up after lunch.

**Sitting suspended from 12.32 to 2 pm.**

### **Questions without notice**

#### **Land—rent scheme**

**MR SESELJA:** Mr Speaker, my question is to the Chief Minister. Chief Minister, one of the reasons stated by Genworth Financial and others for not supporting the land rent scheme is the fact that the ACT government had primacy in the recovery of repayments in the event of default. Chief Minister, was this position changed as part of the arrangements with Community CPS?

**MR STANHOPE:** Mr Speaker, I took this question on notice yesterday and said that I would get some detailed information in relation to this issue and provide it to the Assembly. This is one of the issues that were subject to some of the detailed negotiations that have gone on between the government and CPS. I stand by the answer I gave yesterday. I have not yet received that information.

Yes, Mr Seselja, I will confirm that issues in relation to priority in the event of repossession were issues that really are at the heart of an agreement that has been arrived at between the ACT government and CPS. Having said that, I do wish to give this level of comfort and assurance to members prior to providing the detail on the question that I took on notice yesterday and which the Leader of the Opposition asked again today: CPS, in 15 years, have, on two occasions, taken repossession action as a consequence of default on a home loan mortgage. That is, I think, a stunning record that CPS has achieved as a result of the very responsible, prudent attitude that it takes to home lending.

I might say in that context that it goes to the issue of the 20 per cent deposit, the standard mortgage deposit, that CPS have indicated they would propose in negotiations with people who seek a mortgage under the land rent arrangements. Just to update members of the Assembly, let me say that I am advised today by CPS that they are now in negotiations with 30 members of the Canberra community seeking access to a home loan or a mortgage for land rent. So in the 48 hours since announcing—actually, indeed, in the 24 hours or 30 hours now—in the 30 hours that this product has been available, CPS are having discussions with 30 clients seeking a mortgage to build a home under the land rent scheme. I am sure that members would join with me or share with me my excitement at the fact that 30 young Canberra families in the first 30 hours of operation of this scheme have approached CPS with a view to realising their dream of homeownership.

CPS indicate to me that they would be interested in staying in touch with members of the Assembly at the first sod turning or perhaps at the opening of the first land rent home. I will ensure, Mr Seselja, that you are invited to that sod turning and I will ensure, Mr Seselja, that you are invited to the opening of that first land rent home so that you can perhaps explain to that young Canberra family exactly why it is that you thought they should not actually own that home.

**MR SPEAKER:** A supplementary question, Mr Seselja?

**MR SESELJA:** We will talk to the builder who has got 30 blocks. Thank you, Mr Speaker. Chief Minister, have any other aspects of the original scheme been altered in the arrangement with Community CPS?

**MR STANHOPE:** Mr Speaker, I am not sure I am prepared to accept that any aspects of the original scheme—the scheme is actually as articulated in the legislation that underpins the scheme. The government has absolutely no intention of, and has not anticipated, amending the act. It is the act that underpins the scheme, and the arrangements that CPS have put in place are consistent with the act, consistent with the legislation, and at this stage it has not been suggested to me that there is any need or intention to amend the act.

I do have some interesting information and advice, and I will make it available to members of the Assembly, from Genworth, in fact, in relation to the issue of mortgage insurance—an issue that was raised yesterday—with respect to the basis on which Genworth proposes that mortgage insurance would be necessary or required, and the extent or quantum of mortgage insurance that might be required generally or advisedly by Genworth. It is very interesting, with respect to Genworth's advice to all financial institutions—and this goes to the heart of some of the claims that have been published, purporting to be from an anonymous spokesperson for Genworth—in relation to mortgage insurance that the Genworth website, in its discussion on mortgage insurance, suggests that if a 20 per cent deposit is taken on a standard mortgage, no mortgage insurance is necessary.

In the context of some of the wild claims that have been made, published and printed in relation to mortgage insurance and some of the purported claims of Genworth not supporting this particular product, it would be perhaps advisable for the opposition, and indeed for some members of the media, to go to the Genworth website and actually have a look at Genworth's advice to all financial institutions in relation to the issue. It really does put the lie to some of the nonsense that has been spread in relation to the issue.

### **Budget—efficiency dividend**

**MS HUNTER:** My question is to the Treasurer and concerns the consultation process in relation to the proposed efficiency dividend that has been outlined in the budget. What is the government's plan for the proposed efficiency dividend? Who will be involved in the consultation process?

**MS GALLAGHER:** I thank Ms Hunter for the question. There is a number of different processes that will be undertaken for the budget savings strategy. There is the community consultation process, which will start in July. That will be led with a discussion paper that the Treasury is currently putting together outlining the magnitude of the savings task and the landscape we are operating within. It will seek ideas for the budget and also savings suggestions if the community have those.

This is six months earlier than we would normally do this. So we are bringing forward the community consultation by six months. That will enable cabinet to have, I guess, the feedback from the community earlier in the financial year than we have had in the past when we have sought it in late November and it has come in by February, by which time we are putting the budget together.

In relation to the efficiency dividend, that can certainly be subject to the community process if there are ideas around efficiencies within government that can come through that process. The government itself will be having other processes established which I will lead the work on for agencies to provide to the budget committee of cabinet suggestions around their efficiency dividends to be implemented next year.

I am working on a timetable that that information should be brought forward to September, again just so we can have the information sit with the government for longer than it has in the past while we make some of those decisions for next year.

Essentially, it will kick off at the end of July with a discussion paper that Treasury is currently putting together. We will do the normal process of writing to all the community organisations, putting a website up and advertising it as much as we possibly can to let people know how to get involved.

**MR SPEAKER:** Ms Hunter, a supplementary question?

**MS HUNTER:** Can the Treasury ensure that departments involved in applying the efficiency dividend include organisations that are contracted to deliver services and also consumers of those services—that we make sure that they are involved in how that efficiency dividend may be applied?

**MS GALLAGHER:** Yes, agencies will need to do that work and ministers will lead that work within their own portfolio areas. Indeed, I have had a meeting with Disability, Housing and Community Services today and they already have a meeting set up with ACOSS just as an example of that to kick off that discussion with them, I think this week.

The Chief Minister and I have written to ministers outlining the process we would like to see undertaken in terms of applying the efficiency dividend. Ministers will now manage that work in their own portfolios, but it will come back to the budget committee around September for consideration. So I have no doubt that that will all incorporate funded non-government agencies through that work.

**Hospitals—Calvary Public Hospital**

**MR HANSON:** My question is to the Minister for Health. Minister, will you give the Assembly a cast-iron guarantee—an iron-cast guarantee, I should say—that you will not finalise any deal for the purchase of Calvary hospital without bringing it back before the Assembly? If not, why not?

**MS GALLAGHER:** I thank Mr Hanson for the question. The government will continue the negotiations with the Little Company of Mary on the potential purchase of the Calvary Public Hospital. The purchase of that hospital will be subject, if the negotiations get to this point, to an appropriation by this territory. Obviously, if the appropriation does not go ahead, the deal does not go ahead. We can only finalise it to a certain point anyway. The Assembly will have its own view on that. We have been clear, and I think the Little Company of Mary understand the constraints in terms of finalising the deal as it may end up.

We are very hopeful that we will be able to finalise this deal. I guess the challenge to the opposition is that, by the time the appropriation legislation comes to the Assembly, you will have to indicate one way or another whether you actually support this and finally make a stand on a significant policy issue for the people of the ACT. We look forward to you indicating your position on this in the weeks or months to come.

**Recycling—batteries and light bulbs**

**MS LE COUTEUR:** My question is to the Minister for Territory and Municipal Services. Minister, batteries and fluorescent light globes are toxic items which can be recycled but mostly they end up in landfill. What is the ACT government doing to make sure that these items can be easily recycled and, given the very low percentage of batteries and light bulbs that are actually recycled, is it adequate to only provide drop-off points at Mitchell and Mugga Lane landfills?

**MR STANHOPE:** Thank you, Ms Le Couteur, for the question. Certainly I think the community has been sensitised to a significant number of issues in relation to waste and some of the intractable waste products, such as batteries. It is an issue that I think all communities are grappling with and we see some of the responses that have been made here in the territory, and indeed around Australia and the world, in relation to mobile phones, for the same reason—that products that in the past have been seen as simply disposable now represent quite significant waste disposal issues for us.

There is an issue, I think, for the community in the location of waste or waste drop-off places. We have contracted a number of dumps, essentially, or landfill areas in the ACT. They have contracted to just the two, at Mitchell and at Hume. Those decisions were taken in the context of seeking to restrain the areas. I well remember, of course, the Belconnen, the Hackett-Ainslie dumps, and in different times I have actually been a client of those.

In the context of the smaller items that you mention, Ms Le Couteur—batteries, some IT equipment, mobile phones and some of those other products—you raise a

reasonable issue in relation to drop-off points. I think we have sought to be more innovative and more expansive. I think the minister for the environment can add to this answer. I am more than happy to take your supplementary, Ms Couteur, but the minister for the environment is happy to add to my response.

**MR SPEAKER:** Mr Corbell?

**MR CORBELL:** Thank you, Mr Speaker. There is an area of interest related to this question that falls within my portfolio area, and that is in relation to the most recent decision of the Environment Protection and Heritage Council, the COAG council of all environment ministers. At its most recent meeting in Hobart earlier this year, in fact, about a month ago, the EPH agreed to the development of a national e-waste strategy for Australia. It agreed to progress that to the next steps in terms of its policy development.

The e-waste strategy will allow for a national recycling scheme for e-waste, in particular, electronic goods, but also a range of other goods that are currently difficult to recycle. That e-waste strategy will now be tested through a consumer preference process to determine how consumers would most prefer this to work, for example, could it be a kerbside collection scheme or should it be a depot-based drop-off scheme. I think the important thing to stress is that it will be developed in conjunction with the people who initially create these products, and they will recover the costs of this recycling scheme through a small increase in the cost of the goods at the point of sale.

The e-waste scheme is well advanced. In terms of its policy development I think we will see it finalised over the next six to 12 months to allow it to be rolled out. The ACT government strongly supports that approach.

**MR SPEAKER:** Ms Le Couteur, a supplementary question?

**MS LE COUTEUR:** Thank you, Mr Speaker. I would like to go back to the thrust of my question, which is about batteries and light globes, which I am glad you have agreed are small and need to be dealt with. Why hasn't the government made it easier to recycle these products by putting recycling bins in government shopfronts and libraries?

**MR STANHOPE:** Thank you, Mr Speaker. Thank you, Ms Le Couteur. As I was concluding my previous answer, I acknowledged, Ms Le Couteur, the issue you raise. In terms of geographic spread, we have concentrated formal waste disposal capacity at Mitchell and at Mugga Lane. Of course, those decisions were taken as a result of economies principally. To the extent that there no significant resource issues in the suggestion that you make, Ms Le Couteur—and I will take some advice on that—as long as there are no resource issues and no safety issues and no issues in relation to the amenity of places such as a shopfront in the context of maintaining waste disposal bins for equipment such as light bulbs and batteries and mobile phones, then I think you have a moot point.

I do not have the technical advice with me to answer that particular aspect of your question. On face value, Ms Le Couteur, I think the point you make has force, but I

will take some advice on it. In the context of why we have collocated or why we have located at Mitchell and Mugga, it was essentially around economies. To the extent that there are some goods that might be more appropriately disposed of and there were, without any significant resource implications, other places to dispose of them, then I am happy to look at that. I will look at it and I will certainly give you the advice, Ms Le Couteur.

### **Schools—bullying**

**MR DOSZPOT:** My question is to the minister for education, Mr Barr. Minister, many parents of children that attend Kingsford Smith school are concerned at the lack of clear, school-specific policy to counteract bullying at the school. In question time on 17 June you said:

There is a policy in place for all ACT public schools, and it has been in place for some time now.

In relation to this, can you advise how many times the behaviour management team have visited Kingsford Smith school this term?

**MR BARR:** It will not come as any surprise to members that that piece of information is not one I carry around with me in my head. I will seek advice from the department on the number of times that that team has visited that school and I will get back to the member.

**MR SPEAKER:** Mr Doszpot, a supplementary?

**MR DOSZPOT:** Minister, with the number of calls that that school has required, I am surprised you do not know. And why has there been such reluctance on the part of your government, minister, to address bullying at the Kingsford Smith school?

**MR BARR:** There has been no reluctance on the part of the government to address bullying at Kingsford Smith or at any school in the territory. In fact, I believe the next step in terms of expanding the scope of the Safe Schools Taskforce is to invite and to seek the interest from non-government schools in being involved in that task force. I think that would be appropriate, as it is clear from police reports and from media reports that bullying is not isolated to government schools; it occurs across all schools. In fact, it occurs in all areas of our society.

What disappoints me the most in relation to the line of questioning from the shadow minister is that somehow this school or the government education system is responsible for bullying. That is a very unfortunate undercurrent in what has been a pretty consistent line of attack from the opposition on the public education system. It goes back to Mr Doszpot's predecessor, Mr Pratt, who was one who believed we should have police in our school playgrounds. That was the policy approach that was adopted by the Liberals. They may have replaced their Steves, but they appear not to have replaced their Neanderthal thinking on this matter.

**Crime—reform**

**MS BURCH:** My question is to the Attorney-General. Can the Attorney-General advise the Assembly on the government's approach to practical and considered reforms in relation to serious and organised crime and whether the government is aware of alternative proposals in this area?

**MR CORBELL:** I thank Ms Burch for the question. The government's approach to this issue of serious and organised crime is based on a careful and considered assessment of the need to ensure that serious crime is dealt with in a coherent and effective way in our community and is based on respect for important principles of law in a democratic society. We have refused to allow ourselves to be hijacked by an agenda based on fear and have resisted being pushed into some knee-jerk response when it comes to some of the more high-profile media incidents that have occurred in other states.

Yesterday I tabled in the Assembly a detailed report on the issues raised by the anti-gang laws that have been put in place in places such as New South Wales and South Australia. I also outlined in that report the range of possible legislative proposals that could be progressed in the ACT to further strengthen our already comprehensive suite of organised crime laws. This approach is consistent with the approach adopted by the Standing Committee of Attorneys-General when it met in Canberra in April, when we agreed that there needed to be a common framework and set of principles within which jurisdictions could work to implement laws that best suited their particular circumstances.

But what I find particularly interesting about this approach is that it stands in marked contrast to the approach of others, in particular those of the Liberal Party. I saw the comments from the shadow Attorney-General in the media this morning where she once again resorted to the cheap political line that the ACT was being soft on criminal gangs. I reflected on this in my musings this morning and I thought, "Isn't it interesting that we have got the shadow Attorney-General who is keen to be seen to be taking a tough line on serious crime?"

Then I thought, "What other things, what other issues, are they being tough on in serious crime?" I thought about the most serious crime there is, which is the serious crime of murder. That is the most serious criminal offence to exist in the territory. Has the ACT Liberal Party—

**Mrs Dunne:** Mr Speaker, could I ask you to remind the attorney that it would be inappropriate to reflect on a vote of the Assembly to refer the matter of murder to a committee.

**MR CORBELL:** I have not reflected on any such vote.

**MR SPEAKER:** Mr Corbell, resume your seat, thank you. Clerk, stop the clock. Mr Corbell, whilst you have not transgressed the standing order yet, I would remind you of the standing order as you proceed.

**MR CORBELL:** I am glad that now we can take points of order on prospective breaches of the standing orders. I reflect on the fact that the Liberal Party has adopted a position of refusing to support changes to the law of murder in the territory to bring it in line with the common law definition that exists right around this country. They have refused to support such a change and have sought, in a whole range of ways, to avoid that issue. But when it comes to serious and organised crime, yes, let us pass those tough anti-gang laws straightaway.

This is the complete hypocrisy of the Liberal Party: on the one hand, we want the anti-gang laws and we want them now; but, when it comes to implementing the radical concept of the common law definition of murder in the territory, we stand resolutely opposed to it. This highlights that the Liberal Party have adopted a position of a cheap political point to be scored by saying that they are tough, that the ACT is soft, on organised crime gangs. But where is their commitment to upholding fundamental common law principles by supporting changes to the common law definition of murder which this government has introduced into this place?

**Mrs Dunne:** On a point of order, Mr Speaker.

**MR SPEAKER:** Mrs Dunne.

**Mrs Dunne:** The minister's time has expired. I won't bother to take the point of order.

### **ACTION bus service—Belconnen bus interchange**

**MR COE:** My question is to the Minister for Territory and Municipal Services. Minister, why did you spend over \$50,000 repainting the Belconnen bus interchange when you planned to close it within a year?

**MR STANHOPE:** I think ACTION bus commuters and clients deserve facilities, particularly at an interchange, that are not in a state of disrepair and gloom and that clients, as they wait for a bus, as they change buses, can wait in an environment that is as fresh as it can be made, having regard to the age and nature of the facility. I do not know whether members have visited the Belconnen bus interchange over the last couple of years, particularly before it had been painted, but it was simply awful, and it was quite appropriate that it be repainted and refurbished.

Mr Speaker might be able to assist us here; I think, Mr Coe, that your office was painted before you moved into it. I guess we could ask how much that cost and why we bothered to repaint Mr Coe's office. He will only be here for four years, so I guess the question could be asked: why did we bother? Mr Coe, did you think that you deserved to have your office painted before you moved into it but that, with respect to the residents of Belconnen, your constituents, you did not think that your constituents deserved to have a bus interchange that was as fresh and as bright as it might be? I would be happy, next time I am out and about, Mr Coe, to let your constituents know that you do not think they deserve—

**Mr Coe:** That's right, put out a release. I dare you to put out a release on it, Jon.

**MR STANHOPE:** I am happy to let your constituents know, Mr Coe, that you do not think they deserve good facilities. I am happy to let them know that you were very happy to move into a freshly painted office. I am very happy to let your constituents in Belconnen know, Mr Coe, that you were more than happy to move into a freshly painted office, that you were more than happy to take possession of a brand-new car, with taxpayer-paid parking, and a bright, newly painted office, but you begrudge them a bus facility of just a moderate standard. I defend the people of Belconnen, Mr Coe. I will continue to do so, and I will do it against people like you.

**MR SPEAKER:** Mr Coe, a supplementary question?

**MR COE:** Thank you. Minister, wouldn't this \$50,000 have been better spent for ACTION commuters who are now using temporary bus stations in the cold at the Belconnen Town Centre?

**MR STANHOPE:** Just to complete the understanding of the residents of Belconnen, Mr Speaker, you might want to let us know what colour Mr Coe's office was painted. I am sure the residents of Belconnen would love to know that, Mr Coe. A freshly painted office for Mr Coe, a brand-new car for Mr Coe, taxpayer paid car parking for Mr Coe, but no acceptable standard of facility for bus commuters from Belconnen from Mr Coe.

**Mr Seselja:** Point of order, Mr Speaker. The Chief Minister is not being relevant to the question. It was very specific about the \$50,000 that was spent painting instead of using it on commuters who are using the temporary facilities at the moment. I would ask you to bring the Chief Minister back to relevance.

**MR SPEAKER:** Chief Minister, could you address the issue of the temporary bus station, please.

**MR STANHOPE:** Thank you, Mr Speaker; I will. The government make a whole range of decisions in relation to priorities. We made a decision in relation to the expenditure of \$50,000 for the tens of thousands of commuters that use the Belconnen bus interchange. Amongst those priorities another priority that was pursued particularly by this place was that it was a priority to paint Mr Coe's office, it was a priority to provide Mr Coe with a brand-new car and it was a priority to provide Mr Coe with taxpayer funded free car parking.

This is the range of decisions that governments make. I stand by the decision to invest in the people of Belconnen in the maintenance of a bus facility of a certain standard, and I will not resile from that.

### **Health—home births**

**MS BRESNAN:** My question is to the Minister for Health and concerns home births. Minister, I understand that on 12 June in your role as the chair of the Australian Health Workforce Ministerial Council, you publicly released the draft legislation for the national registration and accreditation scheme for health professionals. The draft

legislation, as I understand it, proposes that where a woman chooses to undergo a home birth and uses a private midwife that does not have insurance, the woman giving birth can be fined \$30,000. Minister, does the ACT government support the proposed \$30,000 fine?

**MS GALLAGHER:** This does go the issue of insurance for private midwives to perform home births, as I understand it, and the fact that, as I recall—and I will take some further advice on this—the issue of registration of health professionals providing a service that might not be insured. In this instance, I do not think that choosing private home births by a midwife is not in line with the national registration arrangements. I will provide you with some further information, but we did have a brief discussion on this and the fact that it may cause us some concern and to the community at large.

**MR SPEAKER:** Supplementary question, Ms Bresnan?

**MS BRESNAN:** Thank you, Mr Speaker. Minister, are you required to provide the health council with the ACT government's response? Will you provide a copy of that response to the chamber when it is available?

**MS GALLAGHER:** The response to—

**Ms Bresnan:** The response to the report from the health council.

**MS GALLAGHER:** I will take some further advice on that, Ms Bresnan. I am just not sure. The ACT government's response from the health ministers' meeting—is that what you are after?

**Ms Bresnan:** Yes.

**MS GALLAGHER:** Okay. I will take some further advice on that. I do not see why not.

### **Nolan gallery and collection**

**MRS DUNNE:** My question is to the Minister for the Arts and Heritage. Minister, the estimates committee recommended that you reconsider the government's stance on the future of the Nolan Gallery and the Nolan collection and negotiate with the commonwealth to implement the recommendations of the 2004 Nolan Gallery/Lanyon feasibility study. Your government's response to the committee report was to disagree with this recommendation. In doing so, the government's supporting argument utterly fails to consider or even mention the wishes of the late Sir Sidney Nolan and Lady Nolan that the gifted collection and the works on loan be exhibited at the Nolan Gallery at Lanyon. Minister, why is the government ignoring the wishes of Sir Sidney and Lady Nolan?

**MR STANHOPE:** We have explained our position in relation to the Nolan Gallery on a number of occasions. As members know, the Nolan Gallery would require some significant capital upgrade to make it fit for purpose. The Nolan collection was at

significant risk had it been maintained or retained at the gallery. The government considered that context and had regard to the cost of maintaining the gallery, had regard to the visitation—the number of visitors averaging around 5,000, with two staff; 100 people a week. In the context of arts in the arts budget, I would ask members to reflect on this: two full-time members of staff, 100 visitors a week—what is that a day? Fourteen people a day; seven visitors per full-time member of staff—

**Mr Hanson:** We thought you were asleep up there—

**MR STANHOPE:** I was just testing, mind you. So just do the sums: one full-time member of staff, one full-time member of artsACT or of the Cultural Facilities Corporation dealing with seven people a day on average. Who thinks that is reasonable? Put up your hand if you think that is reasonable—not you, Mr Speaker—one full-time member of the Cultural Facilities Corporation dealing with seven people per day, year after year after year after year? The government, with the best will in the world, with the greatest of respect for Sir Sidney and Lady Mary Nolan—and I met Lady Mary and I discussed the government's position, and she was not particularly happy with or enamoured of it, which is why the government has referred the issue to the commonwealth.

We have provided funding to upgrade the Canberra Museum and Gallery to house the collection. We stand ready to invest in the Canberra Museum and Gallery, in the heart of the city, to facilitate the showing of this very significant collection; but I cannot justify asking, and the government does not believe it reasonable to ask, the people of Canberra to support a gallery that would require two full-time staff when visitation year on year was averaging 5,000. The government has to take these things into account, these things into consideration.

To suggest that it is an appropriate and the best use of two full-time members of the Cultural Facilities Corporation to be dealing with 14 people a day really raises some serious questions, and we are trying to work our way through those. We are trying to do it fully respectful of Lady Mary and fully respectful of this very significant collection.

**MR SPEAKER:** Mrs Dunne, a supplementary question?

**MRS DUNNE:** Thank you, Mr Speaker. Minister, what are you going to say to the people of Australia when your decision to move the collection to CMAG precipitates the return to the UK of significant numbers of the works on loan to Australia?

**Mr Corbell:** Hypothetical.

**MR STANHOPE:** Mr Speaker, the question is hypothetical, and it is impossible for me to answer. If that did occur, of course, it would be a matter of enormous regret, but I assume the commonwealth, along with the ACT government—the commonwealth, in the context of its position on this, its negotiations—is taking these things into account just as the ACT government has.

## Hospitals—Calvary Public Hospital

**MR SMYTH:** My question is to the Minister for Health. Minister, in the *Canberra Times* of 11 June it was reported:

ACT Health is considering a draft heads of agreement from the company, and valuers from both camps are in talks to decide on a price tag.

Minister, an online journal called *Law Talk*, on heads of agreement, says:

It is a common misconception that a heads of agreement is an informal and non-binding document which merely outlines the “tentative agreement” between the parties.

Minister, can you guarantee that you have not, nor attempted to, enter into a heads of agreement with the Little Company of Mary about the sale of Calvary hospital?

**MS GALLAGHER:** Certainly the government has not entered into a heads of agreement with Calvary and Little Company of Mary. There is a draft heads of agreement circulating. Indeed, I spoke to Mr Tom Brennan yesterday on another matter where he indicated to me that he was going to forward the heads of agreement to me with a covering letter from himself. I have not received that correspondence yet. I expect that, true to his word, Mr Tom Brennan will forward me a draft heads of agreement document and at that point I will refer it to my agencies for follow-up advice back to me.

The government has not signed any heads of agreement, but there is the potential that in the future we may well sign a heads of agreement unless there is another way to proceed with the negotiations to reach a final point at which the government makes a decision. That decision will in turn come here to the Assembly for further discussion and approval of an appropriation bill—if it gets there. At this point in time it is not there. No agreement has been signed. As I have said in this place before, negotiations are continuing around valuations and, as part of that, negotiations have been held over a potential final heads of agreement that we may indeed want to sign at some point in the future.

**MR SPEAKER:** Mr Smyth, a supplementary question?

**MR SMYTH:** Thank you, Mr Speaker. Minister, did you attempt to sign a heads of agreement before the election?

**MS GALLAGHER:** No, not from my recollection at all. I will check the paperwork. The government did consider this prior to the election, to allow discussions to continue between the parties whilst the caretaker period and post-election period went through, a period of two months. I do not believe that was called a heads of agreement, but there was certainly discussion, and decisions were taken around parameters to continue the discussions during that two-month period. There was nothing that would bind future governments and nothing that agreed to a final deal. But there was certainly a decision by this government that would allow discussions to continue whilst the pre-election period and post-election period rolled out.

**Mr Smyth:** But there are pre-election documents, even though you have said there were only conversations?

**MS GALLAGHER:** Sorry, I didn't catch all of that. I have been very clear on this. I have been very clear that there were discussions before the election around the potential sale of Calvary Public Hospital to the ACT government, and that those discussions continued with my involvement up until the caretaker period. Between the caretaker period and the government forming again in November, I had no involvement in any discussions—and, indeed, no decisions were taken that would bind any future government, if the Canberra people had been so silly as to elect those opposite to these benches, which they, in turn, thankfully, did not.

Post the election, the discussions with the government continued. But during that pre-election period, the caretaker period for the month after the election, there were some discussions between ACT Health and the Little Company of Mary, just to keep it moving along. It did not move very far, I have to say, during that time; in fact, I would not be surprised if it did not move anywhere at all, because by the time I picked it up again in November, that was the point at which we started moving forward with this again.

I do not know what your concern is here. The government has not taken a decision. We did not take a decision that was going to bind any future government, had you been elected to government, which you were not, thankfully. But if you had been, it would have been very easy to walk away from this without a concern or care in the world. No decision has been taken yet. The valuations have not been received. The government has not received a heads of agreement. There has been no final decision made by the government about whether or not this can proceed. There it is; it is all there for you. There is no conspiracy. There is nothing to be worried about. No deal has been done.

But we do stand here, as a government, and say that if we can, we would like to buy Calvary Public Hospital. We think it would be good for the long-term interests of this community for that asset to sit on the ACT balance sheet, to be owned and operated by a public authority. Having regard to the considerable amount of capital investment that is going to be required, and if it is to go into that public hospital, it should therefore remain an asset of the ACT community. At this point in time, it does not. So our cards are all on the table. They are there for everyone to see. Opposition for opposition's sake; no position, no idea, no views, no constructive assistance—nothing. Zero, zilch, nothing. At some point in time, if we are able to bring the Calvary appropriation bill to this Assembly, I wonder if they will vote again to deny themselves the opportunity to vote on it, just like they have done on the budget.

### **Budget—plan**

**MS PORTER:** My question is to the Treasurer. For the information of members, can the Treasurer outline the government's budget plan to return the budget to surplus as outlined in the 2009-10 budget papers.

**MS GALLAGHER:** I can outline the plan, because—

**Mr Seselja:** She doesn't think you've explained it enough.

**MS GALLAGHER:** You know, when the opposition start squealing before you actually start reading your answer, that you have got a little bit of a sore spot there. It is good to hear.

**Mr Seselja:** I think it is extraordinary that Mary does not think you have articulated it.

**MS GALLAGHER:** I love the way Ms Porter has framed that question: "for the information of members" can I please outline the budget plan. It looks as though I have to, doesn't it, boys? And Mrs Dunne; sorry. It does.

Every time they are asked they say that there is no plan, that the budget is economically irresponsible. For the benefit of members, I am very happy to stand here and go through the government's budget plan yet again.

This budget was extremely hard to put together, as I have told members on a number of occasions—which, again, they have failed to accept or understand. The government outlined a seven-year recovery strategy for moving the territory's budget back into surplus. The budget plan has been identified in the budget papers; it is clearly outlined in budget paper 3. We have not taken a hands-off attitude to this, Mr Speaker.

If the opposition think that seven years is too long, what do they actually think is reasonable? We do not know, because they have not got a budget plan. Is it a one-year recovery? Is it a two-year recovery? Is it a three-year recovery? Who knows? What we do know is that they think that seven years is too long, but we do not understand what they think is a reasonable time. The budget decisions, the budget plan—

*Members interjecting—*

**MR SPEAKER:** Order, members!

**MS GALLAGHER:** I have to say that it is the most successful dorothea when you get all of them squealing at once. When the level rises to a point where I cannot hear myself, I know I am doing my job properly. It is actually really heartening to know.

We have a budget plan. Here we have it: we have it in plain English for the opposition:

- achieve a balanced budget by ... 2015-16;
- adopt a longer term approach to addressing the deficit;
- identify annual saving targets over the forward estimates period that set the aggregate revenue and expenditure trajectories to meet over the planning period;
- ensure that in restoring the surplus, core services, community safety, and risk mitigation and protection are maintained to the high standard the community expects; and—

*Members interjecting—*

**Ms Porter:** Mr Speaker—

**MR SPEAKER:** Order! Mrs Porter.

**Ms Porter:** Under standing order 37, I was wondering if you could bring the members to order, please, across the chamber.

**MR SPEAKER:** Treasurer, you have the floor.

**MS GALLAGHER:** Thank you, Mr Speaker. The final element there is:

- plan for adequate growth in expenditures to meet the needs of a growing population, and in particular, in the priority service areas such as health and education.

That is the position we took in putting this budget together. We took a longer term view. I think it is longer term than the opposition would have had in their plan had they released the plan or had they actually reached any conclusions about what they should have done.

This plan allows us to take a measured, responsible and thoughtful approach to bringing the budget back to surplus. It allows the community time to work with us; it allows our agencies time to work with us to make sure that when we are seeking savings from them those savings do protect front-line services as much as possible and we put the time and consideration into those decisions prior to them being taken.

Mr Speaker, the budget committee will meet every two months to make sure that that work is being done over the next 12 months and that all the latest information is coming to the budget committee earlier rather than later so that we can put that thought into it.

In relation to the community process—I have gone into this with Ms Hunter today—we will be calling for submissions starting this process about six months early. We will call for ideas in July. I put the challenge out over the chamber: I presume the opposition will be putting forward a very comprehensive, well-thought-out submission to that process. I am sure that we will wait and see.

**Mr Smyth:** Like all the submissions you guys put forward in opposition. We are still waiting to get yours from several years ago.

**MS GALLAGHER:** Okay. Mr Smyth has just flagged that he is not going to play with us—he will not be providing—

**Mr Hanson:** The process is that in opposition you put forward what are called election policies leading up to the next election.

**MS GALLAGHER:** There will be the opportunity for any member there to provide a submission into this process. The community consultation process will run till September. We will have the departmental process running alongside of that and reporting to the budget committee of cabinet. We think this is the responsible way to move forward after the shock that our budget endured. (*Time expired.*)

**MR SPEAKER:** Ms Porter, a supplementary question?

**MS PORTER:** Thank you, Mr Speaker. How does the ACT's approach compare with that of other jurisdictions?

**MS GALLAGHER:** Thank you, Mr Speaker. I thank the member for the question. It is interesting to look at the ACT's response to the global financial crisis and the impact that the global recession has had on our budget and how other jurisdictions are responding. We are not alone in this. The pressures that we are seeing on our budget have been seen across the country, indeed, across the world.

Within our budget plan we have indicated that we will be constraining expenditure to 4 ½ per cent over the period of the forward estimates. That acknowledges that the budget will need to grow and that demands on services will continue but that we need to retain that expenditure as much as we can.

The federal budget also foreshadows constraining expenditure, although they have forecast that they will constrain their expenditure to two per cent once the economy recovers. So a similar approach from the commonwealth and some similar planning parameters; indeed, the federal budget has a seven-year recovery strategy as well.

The Queensland government in their recent budget outlined a revised fiscal principle which requires the government to achieve a general government net operating surplus as soon as possible, but no later than 2015-16, so again a similar long-term strategy. They have also announced additional efficiency savings and wage growth restraint combined with reforms similar to this government—structural reforms that we undertook in 2006, such as abolishing or reforming government boards, committees and statutory authorities, shared service reforms, changes to procurement practices and ongoing consolidation of ICT services across government. They have taken up some of the work that we did in 2006.

New South Wales has established the Better Services and Value Taskforce to improve service delivery and contain their growth in expenses. Their plan also involves wage growth restraint, efficiency dividends and a review of selected aspects of whole-of-government expenditure, including ICT and purchasing services.

South Australia have announced that they will establish a Sustainable Budget Commission which will be empowered to recommend measures to restore the budget to surplus. This commission will make its initial recommendations to government for next year's budget. Their budget plan outlines additional savings targets which are to be held centrally and not allocated to agencies pending consideration of the recommendations of the Sustainable Budget Commission.

The Tasmanian government will also implement a range of budget management strategies similar to that of this government's structural reform, including amalgamation of efficiencies, boards and committees savings, efficiency dividends and whole-of-government non-salary savings targets. They have imposed quite a strict wages policy as well.

The Western Australian government has announced the establishment of an Economic Audit Committee which will conduct a wide-ranging review of the operational and financial performance of the public sector. This committee will deliver its report later this year, to feed in to the next budget cycle.

As we can see, the ACT's plan has been replicated across the country, indeed, over there in Western Australia, where they have a Liberal government. So the actual responsibilities that governments have to face and respond to have been reflected in the budget of every jurisdiction. Not one of these budgets indicates that they can recover in one year's time or that they can recover without savings strategies, without wage restraint or without having a look at what government spends its money on.

The opposition have called our budget economically irresponsible. They have failed to substantiate that. From what I can presume, that criticism is levelled at the seven year plan. I would argue that the Liberal strategy is the economically irresponsible one. By opposing this budget, they try to deny significant capital investment in the ACT. If they could win the vote on the floor to oppose this budget, they would oppose jobs, create concern in the community and lower confidence—all the things that business and industry are telling us they do not want to see happen is being played out by this opposition.

If there is anyone economically irresponsible in this Assembly today, as we debate and nauseate this budget, it is those opposite that could not even be bothered to give me the time to listen to my answer today. That really shows us how prepared you are to stand up for the ACT community. They expect their appropriation to come through. You call us economically irresponsible but you have no plans, no ideas, no hope and no suggestions. What we have here is a plan to invest in our community and to recover the budget over the longer term.

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

## Papers

**Mr Speaker** presented the following paper:

Estimates 2009-2010—Select Committee—Report—Appropriation Bill  
2009-2010—Answers to questions on notice and questions taken on notice—  
Received after 15 June 2009.

**Mr Stanhope** presented the following papers:

Intergovernmental agreements—

Bilateral Agreement on the Nation Building and Jobs Plan, dated 25 March  
and 14 April 2009.

Environmental Impact Assessment, dated 22 April and 4 June 2009.

National Agreement for Skills and Workforce Development.

National Partnership Agreement on Certain Concessions for Pensioners and Seniors Card Holders, dated December 2008.

National Partnership Agreement on Early Childhood Education, dated December 2008.

National Partnership Agreement on Hospital and Health Workforce Reform dated December 2008.

National Partnership Agreement on Indigenous Economic Participation dated December 2008.

National Partnership Agreement on Low Socio-Economic Status School Communities, dated 22 December 2008 and 27 February 2009.

National Partnership Agreement on the Nation Building and Jobs Plan.

National Partnership Agreement to Deliver a Seamless National Economy, dated 22 December 2008 and February 2009.

Social Housing Implementation Plan.

Road Transport (Mass, Dimensions and Loading) Bill 2009—Revised explanatory statement.

### **Supplementary answer to question without notice Budget—indicators**

**MS GALLAGHER:** Mr Speaker, I have a matter relating to question time on Tuesday, if I could deal with that first. Mr Doszpot asked me a question about the use of unaudited indicators and I undertook that I would go back and look at what Mr Harris had said.

I found it, eventually. The comments come from the committee hearing on Tuesday, 26 May, where Mr Harris was providing analysis on the library closures. He said:

The use of unaudited indicators allows governments to craft indicators which are inappropriate, to present fraudulent data, or as worryingly, to manipulate the program so that poor performance is a necessary result.

And this is the bit that Mr Doszpot did not go to:

However, there is insufficient information to sustain any claim that the Griffith Library suffered from any of these stratagems.

I do not think I need to provide any more to that answer.

### **Financial Management Act—instruments Papers and statement by minister**

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

## Financial Management Act—

Pursuant to section 14—Instruments directing a transfer of funds, including statements of reasons—

Chief Minister's Department to the Department of the Environment, Climate Change, Energy and Water, dated 22 June 2009.

Department of Education and Training to the Department of the Environment, Climate Change, Energy and Water, dated 22 June 2009.

Within Department of Disability, Housing and Community Services, dated 22 June 2009.

Within Department of Disability, Housing and Community Services, dated 22 June 2009.

Within Department of Territory and Municipal Services, dated 22 June 2009.

Within Department of the Environment, Climate Change, Energy and Water, dated 22 June 2009.

Pursuant to section 16—Instrument directing a transfer of appropriations from the Department of Territory and Municipal Services to the Department of the Environment, Climate Change, Energy and Water, including a statement of reasons, dated 22 June 2009.

Pursuant to section 16A—Instrument authorising appropriation for payment of accrued employee entitlements within the Department of Education and Training, including a statement of reasons, dated 22 June 2009.

Pursuant to section 17—Instruments varying appropriations relating to Commonwealth funding, including statements of reasons—

ACT Health, dated 22 June 2009.

ACT Planning and Land Authority, dated 22 June 2009.

Department of Disability, Housing and Community Services, dated 22 June 2009.

Department of Education and Training, dated 22 June 2009.

Department of Treasury, dated 22 June 2009.

Pursuant to section 19B—Instruments varying appropriations, including statements of reasons, relating to—

National Disaster and Bushfire Mitigation Programs—Department of Justice and Community Safety, dated 22 June 2009.

National Partnership—Concessions for Pensioners—Department of Disability, Housing and Community Services, dated 22 June 2009.

COAG Illicit Drug Diversion Initiative and others—ACT Health, dated 22 June 2009.

Heavy Vehicle Safety and Productivity Program and Natural Disaster and Bushfire Mitigation Programs—Department of Territory and Municipal Services, dated 22 June 2009.

National Partnership—Fee Waivers for Childcare Qualifications—Canberra Institute of Technology, dated 22 June 2009.

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

Leave granted.

**MS GALLAGHER:** I thank you, Mr Speaker. As required by the Financial Management Act 1996, I table instruments issued under sections 14, 15, 16, 16A, 17 and 19B of the act.

Section 14 allows for appropriations to be varied by a transfer of funds between appropriations, to be authorised by the Treasurer and signed by another minister. The transfer must not reduce appropriations by more than three per cent.

This package includes six instruments signed under section 14, authorising transfers of \$360,000 from government payment for outputs to departmental capital injection within the Department of the Environment, Climate Change, Energy and Water for the construction of observation and abstraction or monitoring bores to implement the recommendations from the National Water Commission's report on strategic management of the groundwater resources of the ACT; the fit-out of levels 2 and 3 of the annexe at Macarthur House and the purchase of two air monitoring devices in compliance with the national environment protection measure and ambient air quality monitoring obligations; \$50,000 from the Department of Education and Training to DECCEW to meet the fit-out and relocation cost associated with the consolidation of staff at Macarthur House; \$154,000 from capital injection to GPO within the Department of Disability, Housing and Community Services for the procurement of a range of equipment valued at \$5,000 or less per item; \$896,000 from expenses on behalf of the territory to GPO within the Department of Disability, Housing and Community Services to meet costs associated with staff in Disability ACT; \$90,000 from the Chief Minister's Department to DECCEW for an adviser regarding the proposed ACT solar power facility; \$300,000 of capital injection for the Nightlink taxi scheme to GPO within the Department of Territory and Municipal Services for the light rail consultancy project; and the permanent site for Floriade feasibility project.

Section 16 provides that the Treasurer may, by instrument, transfer the responsibility for a service or function from an entity for which an appropriation is made to another entity. Following the administrative arrangements announced on 10 November, TAMS is transferring the function and appropriation of \$888,000 for the renewable technology showcase to DECCEW.

Section 16A allows for additional appropriation to be authorised by the Treasurer when the amount of employee entitlements paid by a department in a financial year exceeds the amount appropriated for employee entitlements for that year. The Department of Education and Training has been provided with an increase in appropriation of \$759,000 to meet costs associated with an increase in employee entitlements.

Section 17 of the FMA enables variations to appropriations to be amended for any increases in existing commonwealth payments by direction of the Treasurer. DET has been appropriated an additional \$1.078 million for the digital divide project and \$5.468 million for the government schools expenditure. ACTPLA has been

appropriated an additional \$75,000 for the housing affordability fund. The Department of Treasury has received \$1.510 million for the first homeowners boost. The Department of Disability, Housing and Community Services has received additional funding of \$159,000 for concessions and \$1.048 million for the commonwealth-state-territory disability grant and young people with disabilities grant. And ACT Health has been appropriated an additional \$2.2 million for a range of commonwealth grants, including the Australian immunisation agreement.

Section 19B of the act allows for an appropriation to be authorised for any new commonwealth grants provided to the territory under agreement where no appropriation has been made in respect of those funds, by direction of the Treasurer. JACS has received \$15,000 in GPO for national disaster and bushfire mitigation programs. The Department of Disability, Housing and Community Services has received \$111,000 relating to the national partnership on concessions for pensioners. ACT Health has received \$1.3 million for a range of commonwealth grants, including the COAG illicit drug diversion initiative and the national bowel cancer screening program. TAMS has received \$777,000 of GPO, comprising \$550,000 for the heavy vehicle safety and productivity program; \$132,000 to fund the natural disaster mitigation program; and \$950,000 for the bushfire mitigation program.

Finally, Canberra Institute of Technology has received \$158,000 in GPO for the national partnership on fee waiver for childcare qualifications.

More detail regarding the instruments being tabled today is provided in the statements of reasons included with each instrument. I commend the instruments to the Assembly.

## **Exhibition Park Corporation Papers and statement by minister**

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

Financial Management Act, pursuant to subsection 62(2)—2009-2010 Statement of intent—Exhibition Park Corporation, dated 17 and 22 June 2009.

Financial Management Act, pursuant to subsection 62(1)—2008-2009 Statement of intent—Revised—Exhibition Park Corporation, dated 21 and 23 May 2009.

I seek leave to make a statement in relation to the revised statements of intent.

Leave granted.

**MS GALLAGHER:** As required under section 62 of the Financial Management Act, I present the 2009-10 statement of intent for Exhibition Park Corporation. As you would be aware, the government had intended to incorporate Exhibition Park Corporation's functions into the Department of Territory and Municipal Services. For this reason, I did not table the 2009-10 statement of intent on 5 May 2009 along with the budget papers, as it would not have been necessary. However, the Assembly

resolved on that day to defeat the Exhibition Park Corporation (Repeal) Bill 2009. As a result, Exhibition Park Corporation will remain a statutory authority.

The moneys that were included in the Department of Territory and Municipal Services budget for expenditure related to the operations of and capital works within Exhibition Park will instead be provided directly to Exhibition Park Corporation. The Department of Territory and Municipal Services will have no control over the purpose for which these moneys will be used as they will be transferred to the Exhibition Park Corporation as expenses on behalf of the territory.

Early in the new financial year I intend to table instruments under the Financial Management Act 1996 effecting those financial arrangements. This confirms Exhibition Park Corporation's continuing status as an independent statutory authority.

The 2009-10 statement of intent for Exhibition Park Corporation reflects those arrangements and, as well as setting out the corporate direction and priorities for 2009-10, provides performance measures and key performance indicators, developed in consultation with the ACT Auditor-General's Office, by which the activities of the corporation can be assessed.

I commend the document to the Assembly.

As required under section 62 of the Financial Management Act, I present a revised 2008-09 statement of intent for Exhibition Park. This revised version incorporates key performance indicators reflecting consultation with the ACT Auditor-General's Office. These indicators are designed to provide a better basis by which Exhibition Park Corporation's activities can be assessed against its performance measures. I commend the document to the Assembly.

## **Paper**

**Mr Corbell** presented the following paper:

ACT Criminal Justice—Statistical Profile 2009—March quarter.

## **Carbon sequestration—audit report Paper and statement by minister**

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (3.08): For the information of members I present the following paper:

A Carbon Sequestration Audit of Vegetation Biomass in the Australian Capital Territory.

I move:

That the Assembly takes note of the paper.

I am pleased to table today the carbon sequestration audit report titled *A carbon sequestration audit of vegetation biomass in the Australian Capital Territory*. When developing the ACT's climate change strategy, weathering the change, the government was aware that our natural ecosystems and urban forests had a role to play in offsetting greenhouse gas emissions by absorbing or sequestering carbon dioxide. Accordingly, and as set out in action 43 of the government's climate change strategy, weathering the change, we commissioned a review of carbon currently stored in our urban and non-urban vegetation to inform the government's tree planting and ecosystem plans. Thus the carbon sequestration audit was commissioned to assess both carbon stocks and sequestration levels between 2008 and 2015.

In June last year, a team from the Fenner School of Society and the Environment at the Australian National University was engaged to undertake this work. Now ready for public release, this is the first time in Australia that carbon stock and sequestration rates have been measured for an entire Australian state or territory. I would like to acknowledge the very good work done by the team from the Australian National University.

As to the scope of the work, the report studied the 2008 levels of carbon stock contained in the ACT. In the urban estate, trees growing on territory land as street trees, in urban parks and within Canberra nature reserve were counted. Trees growing on private leasehold land were not included. In the non-urban area, random sample points were identified and the vegetation measured. The report also measured the additions of emitted carbon from the 2003 bushfires, the increase in the Cotter Dam wall, the Canberra International Arboretum and Gardens and the conversion of woodland and grassland for urban land development. The report also examined the fate of trees removed from the urban estate.

Turning to the report's findings, it is interesting to note a number of key points. Firstly, the carbon stock in the non-urban forest is 28,153,000 tonnes and in the urban forest it is 285,000 tonnes, giving a total of carbon stock in the ACT of 28,438,000 tonnes. The amount of carbon stored in the ACT's urban and non-urban forests will rise each year by 29,400 tonnes for the next seven years—a total increase of 206,000 tonnes to the year 2015.

The non-urban native forest contains about 95 per cent of the current carbon stock in vegetation biomass. However, this sector only produced 28 per cent of projected sequestration between 2008 and 2015. The pine forests of the ACT contain four per cent of the total carbon stock and sequestered 24 per cent of projected sequestration. Most interestingly, the urban forest, with only one per cent of the current carbon stock, produced 48 per cent of the projected sequestration. In other words, the report concludes that the urban trees are better sequesterers than native trees in places such as Namadgi. This is because trees are highly effective absorbers of carbon when they are young, between 25 and 45 years of age. Older trees sequester carbon at a slower rate, although they store ever-increasing amounts of carbon.

The ACT's urban forest supplies many benefits beyond mere sequestration, such as reducing air pollution and stormwater runoff and providing cooling in the

microclimates of our suburbs. The urban estate reduces energy consumption to the value of \$23 million per annum, and this figure rises in outyears. The 2003 fire emitted 2,833,000 tonnes of carbon by combustion—11 per cent of the total estimated carbon stock. The report concludes it may take 100 years to reach 95 per cent of pre-fire carbon stocks.

The arboretum will be a net carbon producer up to 2015 as a consequence of the removal of pines on the site to reduce bushfire risk, but it will then become a positive sequesterer, peaking at 800 tonnes in 2025 and continuing to sequester for around 200 years. It will eventually be a 70,000-tonne carbon sink. The arboretum has other environmental benefits also, such as preserving endangered tree species.

The overall conclusion in the report in relation to the arboretum is pleasing, given that the government removed the pines as a bushfire safety measure following the report into the 2003 bushfires.

The carbon sequestration audit report examined the practice of wood-chipping trees removed from the urban forest and found that it promotes the decay of timber, resulting in a faster rate of carbon emission. However, trees removed from the urban estate do provide other benefits, including mulching and the construction of wood products. Mulching, of course, also reduces water consumption and weed infestation. Converting woodland and grassland to urban land use emits 142 and 35 tonnes of carbon respectively. This impact will be taken into account in future land planning and in the development of an offsets policy, which will be examined as part of the review of the Nature Conservation Act in the coming months.

This report will help to inform policy in the ACT, including in the areas of urban and non-urban tree management, future carbon offset activity, valuing the environmental services provided by our vegetation and understanding the impact of the 2003 fires on the local carbon cycle.

The audit supports three actions outlined in the weathering the change strategy. First of all, it is a tangible product from action 43 to undertake the audit. Second, it links with action 41 to partner with key research institutions to better understand the complexities of climate change. And, third, the report's conclusions represent a strong endorsement of tree-planting programs such as action 36, the government's initiative to plan one million trees.

The report not only gives us data; it helps us to understand the impact of climate change on our ecosystem and the various mitigation and adaptation options before us. The report will help us to make better decisions about city design and how we interact with the natural environment. Parks, Conservation and Lands, within the Department of Territory and Municipal Services, has advised that it would be helpful to build on this report through additional work to measure the carbon sequestration potential of the trees in the rebuilding of the urban forest. This is a matter that the government will be progressing.

Information about the amount of carbon sequestered in the urban forest may influence the optimal age-class structure of the trees, so that the urban forest has a large

proportion of trees in a semi-mature state, compared to its existing structure, which has a majority of mature to over-mature trees. The report indicates that there is maximum carbon potential in leaving the tree logs whole. However, other research demonstrates the benefits of having mulch to reduce water use and improve the soil. These elements need to be assessed together to maximise the benefits of the urban forest.

Actew, as part of its expansion of the Cotter Dam environmental impact statement process, also audited the effect of the expansion of the Cotter Dam inundation. However, the carbon emissions reported in the ANU and Actew reports do not correlate. Both the ANU and Actew reports use the fullCAM methodology. However, the fullCAM methodology still involves significant user-derived assumptions to be made. All the assumptions made by the ANU are not identified in the report and hence cannot be fully investigated without further discussion with the ANU authors, which Actew will be pursuing.

Assumptions that are listed in the ANU report that are different from those assumptions made by Actew, and may be the sources of the discrepancy, include growth rates of vegetation based on soil structure and fertility, fire severity and impacts, and the level of resolution used for vegetation identification in the inundation area.

The ANU report identifies that decomposition of inundated vegetation is poorly understood, and hence has adopted a worst-case scenario of total and immediate emission of carbon in its report. This is identified as a pessimistic scenario by the report's authors. Actew considers this to be too conservative. Actew's assumptions were based on the accounting of available carbon, not total carbon as per the ANU report. This means that, for example, large tree trunks were not accounted for, nor were large woody roots. This assumption holds throughout the ECD EIS in that large tree trunks are to be retained in the reservoir as fish habitat. It is not expected that breakdown, and hence carbon emission from this source, will occur to any significant extent. This assumption can be evidenced through the large, undecomposed vegetation—mature trees—which can still be seen in the reservoirs of the Snowy Mountains scheme, some 40 years after inundation of those reservoirs.

*A carbon sequestration audit of vegetation biomass in the Australian Capital Territory* is a unique report in Australia. It is the first attempt to audit the vegetation biomass and its carbon sequestration for an entire state or territory. The report strongly urges the establishment of permanent research plots to monitor ecological variables related to predictions of carbon stock, sequestration and the ongoing after-effects of the 2003 bushfires. Further research in this area will contribute to the government's goal of zero net emissions. I commend the report to the Assembly.

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

## **ACT greenhouse gas abatement scheme—operation Paper and statement by minister**

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

Emergency Services): For the information of members, I present the following paper:

Independent Competition and Regulatory Commission—Report 4 of 2009—  
ACT Greenhouse Gas Abatement Scheme—Compliance and operation of the  
Scheme for the 2008 compliance year, dated June 2009.

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

Leave granted.

**MR CORBELL:** I am pleased to table today the fourth annual report on the operation of the ACT greenhouse gas abatement scheme for the 2008 compliance year.

The challenges posed by climate change affect all of us and require concerted action if we are to avoid critical environmental, economic and social consequences. Rising greenhouse gas emissions pose a significant threat to the social, environmental and economic welfare of ACT citizens, present and future. Tackling our emissions from electricity use is key to reducing the ACT's greenhouse gas emissions.

The greenhouse gas abatement scheme was developed to reduce or offset greenhouse gases associated with the production of electricity used in the ACT. The scheme was established in the ACT under the Electricity (Greenhouse Gas Emissions) Act 2004 and commenced on 1 January 2005 to operate as part of the New South Wales greenhouse gas abatement scheme.

The New South Wales and ACT schemes are, in many respects, operated as a single scheme. The scheme requires retailers of electricity in the ACT to procure an increasing component of their product from cleaner and greener means, thereby effecting large reductions in associated greenhouse gases. Under the act, the Independent Competition and Regulatory Commission is the scheme regulator in the ACT. One of the commission's functions as regulator is to determine the greenhouse gas reduction target or benchmark for the ACT in any given year.

The fourth annual report again presents us with significant savings in greenhouse gas emissions as a result of the ACT being involved in the scheme. In fact, the report shows that 2008 has been the most successful year to date. Members will recall that, in November 2007, the Assembly agreed to extend operation of the scheme from 2013 to 2020 or until such time as an effective national emissions trading scheme was put in place.

Given the current debate concerning the carbon pollution reduction scheme and its associated measures, I will keep the Assembly informed of future developments that may trigger significant change or cessation of the current greenhouse gas abatement scheme. I commend the report to the Assembly.

### **Supplementary answer to question without notice Schools—bullying**

**MR BARR:** In question time today Mr Doszpot asked me how many times the behaviour management team had visited the Kingsford Smith school. I can advise the

Assembly that one student management consultant has been in place at the school for all of term 2; another student management consultant has been at the school for five days, supporting staff in developing procedures for managing student behaviour in the playground; year 6 and 7 teachers have received in-class support for two days to assist them in developing appropriate classroom strategies to manage school behaviour; and a team of three student management consultants has worked with the entire school staff in developing student welfare and management procedures.

## **Education, Training and Young People—Standing Committee Report 8—government response**

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (3.24): For the information of members, I present the following paper:

Education, Training and Young People—Standing Committee—Report 8—  
Vocational Education and Training to Address Skills Shortages (Sixth  
Assembly)—Government response.

I am pleased to table the government's response to the Legislative Assembly Standing Committee on Education, Training and Young People's report No 8 on their inquiry into vocational education and training to address skills shortages. I commend the committee for the thorough way in which they went about gathering information through submissions and hearings and preparing the report.

The committee was instructed:

To inquire into and report on the responses of the vocational education and training sector to skill shortages in the ACT workforce, with particular reference to:-

- the demand for vocational education and training and whether this demand is being met in the ACT;
- incentives and impediments to the commencement and completion of apprenticeships or traineeships;
- the appeal of apprenticeships and traineeships as career development pathways, including general community perceptions;
- the effectiveness of apprenticeships and traineeships in addressing skills shortages; and
- other related matters.

The committee made a number of recommendations. The government has either agreed in principle or noted all of those recommendations. I would like to acknowledge the work of the standing committee and am very pleased to table the government response to that committee's report. I will not read through the rest, because we have got enough on today. I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

## **Draft strategic plan for positive ageing Ministerial statement**

**MR HARGREAVES** (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (3.26), by leave: It is my pleasure today to report on the progress on the development of the strategic plan for positive ageing and to update the Assembly on the initial public consultations for the plan.

The ACT, like Australia generally, is experiencing an increasingly ageing population. A strategic plan for positive ageing is a most important piece of policy which will impact on both the social and the economic shape of the territory in years to come. As individuals and as a community we need to examine our approach to ageing issues and appreciate that ageing is a lifelong process. I am sure that the chuckle coming out of Mrs Dunne is because all of a sudden the stark reality has hit home and it is starting to show.

**Mrs Dunne:** That's a quaint turn of phrase.

**MR HARGREAVES:** It is starting to show, I might say. It is starting to show. She is joining the ranks. She is joining the ranks of the blondes yet again.

**Mr Hanson:** What a revelation! Who would have thought that ageing is a lifelong process?

**MR HARGREAVES:** I thought I would indicate to those opposite the bleeding obvious, because quite often they need it, Madam Assistant Speaker. I also express my disappointment that the shadow minister for ageing is not here to hear this; he is obviously sitting somewhere getting considerably older.

As individuals in the community we need to examine these approaches to ageing issues, as I said, but we will go over it again.

We need to live our lives in a way that prepares us for the challenges and the opportunities of our older years. In less than two years the first of the baby boomers will be eligible for the age pension. While the ACT has the second youngest median age of all Australian jurisdictions, it also has one of the fastest growing proportions of people aged 65 and over.

Whatever age we use for identifying seniors, whether it be 55, 60, 65 or 75, the fact is that what is regarded as being older will vary between individuals. People are living healthier and longer lives. People who reach 60 years, for example, do not necessarily consider themselves to be aged or ready for retirement. Mrs Dunne sits there as a perfect example of what I am speaking about.

I will now move to the subject of respect, which is something Mr Coe should listen to. These days many older people report that they do not feel respected or included within their community.

**Mr Coe:** Yes, John. I want to be just like you one day.

**MR HARGREAVES:** My observation is that our society does not always accord due respect to our older citizens.

Madam Assistant Speaker, I might just observe that this issue is a serious issue embraced by the community, and the frivolity being expressed by Mr Coe is not particularly welcomed by that particular community. I would suggest to him that silence might be a good call and might be a respectful call as well.

As I said, our society does not always accord due respect to our older citizens. It is an area that the government is committed to improve through programs and services that embrace the principles of community inclusion and promote social connectedness. Older Canberrans have provided a lifetime of service to family and the community; they continue to be vital to us as family members, carers, friends, neighbours, volunteers, workers and consumers.

For this they are entitled to our respect. They are a critical source of knowledge and wisdom which they are only too happy to share if given the opportunity, through mentoring and volunteering, through community activities or by serving on government and community committees.

As we look at the ACT's growing population of older people, we see that many people will continue to work for economic reasons, because of the satisfaction that it brings or because of the role it plays in defining their sense of self-identity or self-worth. Others look forward to retirement or semi-retirement as an opportunity to do the things that they have not had time to do during their working years. Whatever they choose to do, some will be less prepared for the challenges of ageing than others. We know that many may be at risk of social isolation due to the loss of work-based social networks, the loss of a partner, reduced mobility or distance from family.

One thing is very clear, however: the path to positive ageing must commence long before the traditional retirement age. This will be a focus of the strategic plan for positive ageing. There is no doubt that the earlier people adopt healthy and active lifestyles, the better prepared they will be for their older years and for ageing well.

Last year, on my appointment as Minister for Ageing, I committed to developing a strategic plan that would reflect a whole-of-government approach to positive ageing. This plan is being led by the Department of Disability, Housing and Community Services, in partnership with the Ministerial Advisory Council on Ageing.

Madam Assistant Speaker, I would like to acknowledge the presence in the gallery of five members of the Ministerial Advisory Council on Ageing: Gayle Sweaney, Pamela Rosenberg, Pamela Graudenz, Chin Wong and Vivienne Sinderberry Also, I

would like to acknowledge a past member of the council, Anne Murray AM, who is also the head honcho of the Woden seniors.

The department is also working across government with key community organisations to formulate the plan. Clearly, in developing such a plan, it is essential to really listen to what older Canberrans have to say about their experiences, their needs and their aspirations. In March this year, as part of a community consultation, I held three forums to do just that. Each forum was attended by more than 80 people; we also received more than 30 written and verbal submissions.

I have made it clear that the proposed plan will focus on those areas where the government, in partnership with individuals and the community, can make a real difference. And based on what we have heard, we are developing a draft plan that we will be taking back to the community to check that we have hit the mark with our priorities and strategies. We will welcome further ideas to improve that plan.

There are, however, limits to what governments can achieve alone. The fact remains that ageing is a lifelong process, as I have mentioned, that requires some personal and community responsibility. Governments can provide and promote services and activities, but they cannot force people to choose healthy lifestyles, whatever their age. We can provide people with useful and accessible information that will help people make choices and provide them with appropriate and accessible services should they choose to use them.

I will now focus on a number of key areas that the community has identified for action.

The first of these, not surprisingly, is the promotion, support and encouragement of health and wellbeing. This government already has many programs that support healthy lifestyles at all ages through access to a multitude of health services and care options. In addition to investing in general and aged-care specific health services, we also heavily promote, for example, the need for regular exercise, the need to quit smoking and the need to drink in moderation. Examples of this work include the “Find 30”, the “Go for 2 and 5” and the “Keep moving” campaigns, the latter being aimed specifically at older Canberrans through a partnership between ACT Health and Sport and Recreation Services ACT. The ACT chronic disease strategy of 2008-11 is a key ACT government strategy which sets the direction for chronic disease prevention, detection and management.

In terms of wellbeing, the government needs to further encourage older Canberrans to stay socially and productively engaged through work, volunteering, recreational activities, lifelong learning and involvement in the community generally. These are all the ingredients of positive ageing. In that title, the essential word that we are using is “positive”. That is the big call here; it is about positivity.

Future work needs to build on and improve these programs. We also need to meet the challenge of finding better ways of motivating people to establish early patterns of healthy living and provide support to maintain them.

The government's healthy parks, healthy people program is another example of encouraging people of all ages to get out into our great park system to help maintain their physical and mental health. This was a key message from the March forums. Older Canberrans said: "Don't waste money telling us that exercise and a healthy diet are good for us. We already know this. Help motivate us to do it."

The wellbeing of older people can also be impacted by physical, emotional and financial mistreatment. I am pleased to report that we have commenced work to strengthen the ACT's elder abuse prevention program following a strategic review last year.

There is no doubt that the way we perceive our personal safety is the key to our community engagement and participation. This is especially true for many older people. I spoke earlier about respect. Loss of respect, as much as anything, can lead to concerns about personal safety.

Among the many issues raised during the consultations were concerns about safety at bus interchanges and the loss of the CLASP home safety advice program. We know that Canberra is rated one of the safest cities in the world. Nevertheless, as a government and as a community, we must work with older Canberrans to identify specific areas of concern and develop strategies to address them.

Safety, and perceptions of safety, can be addressed in many ways. Current initiatives regarding personal and property safety include ACT Policing's safety at home program and suburban policing strategy as well as the government-funded vehicle immobiliser scheme.

Other ways we can address safety concerns include better urban design. We believe, for example, that the new Belconnen transport corridor will go a long way to helping vulnerable people, including the elderly, to feel safer when travelling. There are also plans in the pipeline to make the Woden interchange more integrated with the surrounding shopping precinct. The progressive upgrading of suburban shopping centres also takes account of the safety of users in their redesign.

Another way of helping to reduce many older people's concerns regarding their safety is the fostering of intergenerational activities such as exploring ways in which both young and old have the opportunity to learn to respect each other through a greater understanding and appreciation of each other's experience and perspective.

Just as critical is access to appropriate and affordable housing. Maslow's hierarchy of needs states that access to shelter is a more basic need than maintaining our health and wellbeing. Public consultation has told us that access to affordable accommodation is particularly an issue for older people on low incomes in the private rental market.

We are also aware of the need to ensure that public housing stock meets diverse client needs and to work with community care providers for the provision of flexible support for tenants.

The government continues to work with community housing providers about the future development of aged persons accommodation and to explore new models of accommodation, such as the apartments for life model.

We will work with the housing industry to develop universal design guidelines for the territory and work towards universal design targets for new detached housing. As a government we have heard that we need to encourage and support people to look at creative solutions to meet their needs, such as the use of granny flats, prefabricated dwellings, extensions and dual occupancies in existing and new suburbs. These and other housing-related initiatives reflect the government's commitment to establishing a housing system that meets the challenges of an ageing population.

However, there is more to living independently than just having a roof over one's head. As we age, we increasingly appreciate, and often rely on, assistance from family, friends and neighbours. Sometimes we also require access to more formal services to maintain active and relatively independent lives.

In addition to ACT government-provided services such as the independent living centre and the ACT equipment scheme, the government funds a range of services to assist older people to remain in their homes, including home and community care services such as Meals on Wheels.

The government recognises the value of culturally appropriate aged-care services, including the need for cross-cultural training for aged-care workers and relevant service providers.

A recurrent theme in the consultations was the importance of having a choice of appropriate and accessible support services.

Interestingly, one of the issues raised by the community was not a lack of services but the need to better coordinate and promote what one person described as "the dizzying array of services" that are currently available. The theme of more accessible information was pre-eminent through the consultations. I have heard how people appreciate the government shopfronts and the Canberra Connect information line.

Our public libraries, including the home library service, are another valuable source of information for seniors. Libraries provide free access to the internet and a world of books, magazines, newspapers and music. Our libraries provide seniors with training on how to use new technology so they can benefit from access to online services. They also provide a range of large print and multilingual books. We know from research that many people who spend their formative years overseas may revert to their first language as they age.

The government is currently exploring the concept of the virtual village service cooperative model or community access network. Such a network would enable older Canberrans to safely access a variety of services, such as approved home maintenance services, to assist them to stay in their own home. The key benefit of this type of network would be that older Canberrans could remain in the community.

We have heard the very strong message that the ACT's public transport service could be improved to meet older persons' needs, through improved bus routes and frequency, cheaper or free services for seniors, and higher taxi subsidy scheme concessions.

In the 2008 integrated transport framework, we committed to continuing to provide a safe, secure, adaptable and accessible transport system in Canberra that meets the needs of the ACT community.

The government agrees that Canberra needs more frequent and rapid services along major transport corridors. We also agree that Canberra should have an accessible public transport network with frequent bus services and with future seniors facilities and accommodation conveniently located. The government has also committed to purchasing 100 more accessible buses over the next three years.

Over the next 18 months, the government will continue to talk with the community about a more accessible transport system for Canberra and the region. Seniors card holders will have access to concession fares on public transport and, following an initiative I am particularly proud of, people over 75 have been travelling on the buses free of charge as a result of their gold cards since July of last year. Over 6,400 people have already registered for the card.

To complement public transport, in 2008 the Chief Minister launched six regional community bus services provided by the regional community services. These services provide a flexible, door-to-door service available to people at risk of social isolation, particularly seniors. Many older people also have access to home and community care transport services and the ACT taxi subsidy scheme.

We recognise that walking, in addition to being a terrific form of exercise, can be an important mode of transport for many older people. Many people have raised concerns about the maintenance of community pathways. I am pleased to say that, as a start, in the 2009-10 budget the government has allocated an additional \$6.4 million over four years for the maintenance of these pathways.

Finally, we come to the question of work and retirement. As I noted earlier, some Canberrans will continue to work past the traditional retirement age while some will choose to work part time as a long-term feature of their retirement years.

Through its mature age employment strategy, the government will continue to explore ways to support older people in the ACT public service, for example by providing more flexible working hours. In recognition of the value of its older workers, the ACT government introduced grandparental leave in 2008. This strategy will also look at ways to encourage non-government and private employers to support older employees to remain in the workforce.

Recreation is one of the things that many of us look forward to in retirement. At the consultations, many people asked for more information on activity options. The ACT has much to offer, from our nature parks to national institutions like the National

Museum and National Gallery and the myriad recreational and social clubs found in Canberra.

We recognise the important role that seniors clubs play in the lives of many older Canberrans. In recognition of the role of seniors clubs, in its 2009-10 budget the government has delivered on its promise to fund a dedicated premises at Tuggeranong—I am sure to your absolute delight, Madam Assistant Speaker.

**MADAM ASSISTANT SPEAKER** (Ms Burch): Indeed.

**MR HARGREAVES:** Statistics show that many people choose to continue to contribute through volunteering. Indeed, the ACT has the highest rate of volunteering in Australia, at 38 per cent. A clear message from the consultations was the need for more information on retirement activities generally and on volunteering opportunities in particular. One of the suggestions made was for an ACT volunteer register incorporating a skills bank to maximise people's chances of finding appropriate volunteer work that uses their existing skills and suits their interests.

I have touched on the importance of learning from older people, but we must also remember that we all continue to learn throughout our lives and that this is an important way to keep our minds active and to remain connected with the modern world. There are many excellent educational opportunities available to older people in this city, for example through the Canberra Institute of Technology's adult and community education program, the University of the Third Age, seniors club programs and our universities.

That high level of activity is not just about government initiatives; much of it is initiated by individuals and community groups. We know that participation in the life of the community and social connectedness are important at all stages of life and have positive impacts on health and happiness.

As individuals and as a community, we need to fully embrace and value the inclusion of older people in community activity. We will be the richer for it. However, the government can have a role in helping people to find out about community activities and to make choices.

The next step will be the release of a draft ACT strategic plan for further public consultation in August and September this year. We look forward to hearing whether the government has hit the mark with its priorities and we will welcome feedback on how the draft plan can be improved. My aim is to produce a final document that addresses the concerns put to us by older Canberrans that is practically grounded and that will deliver real outcomes for the community. We are listening and we will act.

I plan to table the final strategic plan for positive ageing in December this year. I believe that this plan will mark a milestone in this government's commitment not only to the welfare of our older citizens but to the promotion of positive ageing for the whole community.

Finally, I would like to acknowledge the contribution of the Ministerial Advisory Council on Ageing, under the leadership of Alan Hodges and Marian Reilly, for the

leadership that they have shown in developing a community-driven statement, the draft of which will be available in August this year. I thank members of the council who are attending today. I would also like to thank officers of the Department of Disability, Housing and Community Service, particularly the Office for Ageing, and in particular Nonie Barz, who is here today in the gallery.

I present the following paper:

ACT draft strategic plan for positive ageing—Ministerial statement, 25 June 2009.

I move:

That the Assembly takes note of the paper.

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

## **Open government**

### **Discussion of matter of public importance**

**MADAM ASSISTANT SPEAKER** (Ms Burch): Mr Speaker has received letters from Ms Bresnan, 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 Mrs Dunne be submitted to the Assembly, namely:

The importance of the ACT Government being open, honest and accountable in its negotiations.

**MRS DUNNE** (Ginninderra) (3.49): The importance of any ACT government being open, honest and accountable in its negotiations seems to be axiomatic but it seems not to be the case with the Stanhope government. In 2001 and again in 2008, ACT Labor championed in its platform:

... a contract between our party and the people of the Australian Capital Territory. It shows people what they can expect of us and sets the standards for our work.

Many of the standards go to openness, honesty and accountability. This contract between the Labor Party and the people of the Australian Capital Territory committed to the delivery of four key objectives in the machinery of government. In effect, these objectives amount to the overarching terms of the contract with the people of the ACT. Those contractual terms were responsibility, integrity, openness and quality.

In handling government finances, ACT Labor's platform makes undertakings to the people of the ACT that it will "demonstrate a high level of commitment to accountability and scrutiny of government". On this count, this government failed before it even started. The 2006 functional review remains secret. The 2006 functional review, which had a profound impact on the people of the ACT, remains secret.

Despite it having a big impact, despite the constant calls, it remains secret. Where is the openness and the accountability for the decisions of this government? There is none, none at all. Where is the government's commitment to scrutiny? It is nowhere to be found, nowhere at all.

So, in putting forward this matter of public importance, I have been searching for evidence of openness, honesty or, in the Labor Party's terms, integrity and accountability in the negotiations of this government, but I have not been able to find much. For example, I looked for openness, honesty and accountability in the negotiations on the possible purchase of Calvary hospital. But where I found it was not in the ACT government; it was on that hospital's website. It was the Calvary hospital website that was most helpful. There I found considerable openness, honesty and accountability.

I found media releases, a Q&A section, a collection of historical documents relating to the agreement between the Little Company of Mary and the government and even letters from the chair of the board of the Little Company of Mary Health Care going to some detail about the proposal and how he planned to progress it. That was open, that was honest and that was accountable to the people of the ACT who had been interested in what was going on at Calvary.

But how has this government been open, honest and accountable in this matter? What information has the government published? On the contrary, the Minister for Health has evaded and avoided scrutiny on this matter and presented the community with a closed and locked door. And this is evidenced no more starkly than the failure of a motion in last week's Assembly to call the government to account, to put forward a business case and to demonstrate to the people of the ACT what the benefits of the sale of Calvary hospital would be.

Where is the government's paper trail? Where is its Q&A? Where are its fact sheets and what is the deal? Where is the money going to come from and what will it do for the ACT health system and, through that, what will be the benefit for the people of the ACT? On all of those issues, we have been confronted with silence. There has been nothing—no openness, no honesty and no accountability.

We turn to the 23 schools that were closed in the last term of the government. What about openness, honesty and accountability there? Before the 2004 election, we had commitments from this government that no school would close in the next term of the Stanhope government; that is, between 2004 and 2008. That was a constant commitment which was never, ever withdrawn. Over four years after that, we saw a constant progress towards closing schools. The first of those school closures was in 2005, with the closure of the west Belconnen high school, and that was just a warming-up for the closures that were announced in 2006 and eventually brought to fruition at the end of 2006, in 2007 and in 2008.

In reality, the government was hiding under the blanket, in the dead of night, peering at its secret little functional review, hoping no-one would catch it. This has been the whole *modus operandi* of the Stanhope government, especially in the last term but it seems to be operating in this term as well. Even when the sun broke, before the government emerged from under its blanket, before the torch battery expired, that

secretive government suddenly decided that the sky would fall if its functional review was exposed to the light of day. So it continued to close schools, depending upon the secret information in the functional review. There was no honesty, no openness and no accountability.

Madam Assistant Speaker Burch, as you were not here at the time, I think it is reasonable to give a bit of an exposition on how the school closures process epitomised the failure of openness, honesty and accountability of the Stanhope government. Of the schools that were listed for closure, there was a range of information, published on websites and made available to the schools, that pointed to the reasons why the government wanted to close those schools. There was not a school on that list where the information provided by the government was not challenged and eventually corrected by the Stanhope government.

The information on which they had made their decisions was faulty from the outset. There was constant challenging of the information, and much of it had to be reviewed. There was other information which, despite recommendations of the estimates committee at the time and elsewhere, the government steadfastly refused to review and update to take account of things that had been overlooked. The community was constantly asking for more accurate information, and the government failed to provide it.

Then, of course, there was the incapacity of the Stanhope government to provide full reasoning for why they closed their schools which, in one case, resulted in a challenge to the Supreme Court, which has now concluded, and the signal failure of me and other members of the community to obtain information under the Freedom of Information Act. I suppose one good outcome of that failure is that we now are starting to see reform of the Freedom of Information Act, which stemmed directly from the abuses of the Stanhope government when they issued conclusive certificates over thousands of pages of documents, just blanket certificates.

Moving on from schools, we see issues like the Grassby statue, a project that was supposed to symbolise the richness and the integration of our multicultural society but instead did little else than cause deep division in the community. We had one minister, Minister Hargreaves, espousing its virtues and then we had the Chief Minister saying that it was probably not the most red-hot decision ever made by this government. Let alone the fact that there was no community consultation on the statue, it is not even clear whether Mr Hargreaves consulted with his cabinet colleagues. There was certainly no openness, no honesty and no accountability there and there was certainly no honesty in the dealings with the McKay family.

While on the subject of Mr Hargreaves, let me remind you about the closure of the Griffith library and the now famous conclusion about consultation when he said, “We did not consult youse because we knew what youse were going to say.”

**Mr Hargreaves:** That is not what I said at all.

**MRS DUNNE:** I reckon if we went to the Hansard office and listened to the tape—the inflection may not be quite right—I think that the general information was pretty much spot-on.

**Mr Hargreaves:** You were not there.

**MRS DUNNE:** I was in the chamber when Mr Hargreaves said the words, “We were not going to consult you because we knew what you were going to say.” The government simply closed the Griffith library because it did not want to consult, it was not open, it was not honest with the people and there was no accountability.

The GDE is another example of this government’s failure to deliver on its contract to the people of the ACT. We have ended up with half a road at twice the cost and it was not finished on time. But the government cried that it was finished on time and on budget, but it was only done in its reality, not in the reality of the people of Gungahlin and Belconnen who are still suffering every day with the backlog and traffic jams as a result of this government’s failure to plan.

Then after weeks and weeks and months of saying, “No, we do not need to duplicate it for another 10 years,” we had the bizarre announcement that the government would duplicate the road as an election commitment. That announcement was made at 6 o’clock in the afternoon because the government had been tipped off that the Liberals would make a similar announcement the next morning.

There was no costing for this announcement. There was no study. It was a backflip, a knee-jerk reaction. There was no costing from the government, there was no study from the government and there was no timetable for this, which was put together well after the fact. We had an undertaking from the government that it will duplicate the road in four years at a cost of some \$90 million. So we will end up with the road we should have had from the very beginning but it will be 12 years after the previous Liberal government committed to building the road, 12 years after it was announced. Its costing will be something more than \$200 million instead of something like \$60 million that it would have cost if it had been done on time and done properly, as was committed to by this Stanhope government. Again, there is no openness, there is no honesty and there is no accountability.

Who could forget the gas-fired power station and the data centre, a huge project, planned to be built on the back doorsteps of residents in Macarthur? One day they were travelling along nicely, minding their own business, and the next morning the population of Canberra, in particular the residents of Macarthur, choked on their weeties when they read in the *Canberra Times* about a project that would have a profound impact on the enjoyment of their local amenity. There was no EIS to be undertaken; there was to be no community consultation. All the deals were done in secret, behind closed doors, and probably under the same blanket in the dead of night, using the same torch.

The extent to which there was secrecy and lack of openness was exemplified when the Leader of the Opposition conducted a press conference and laid out a sample of the documents that were provided under freedom of information in relation to the gas-fired power station. There was page after page after page of blacked-out information that showed the extent to which this government would avoid scrutiny, would avoid openness, would avoid accountability and would avoid being honest with the people of the ACT.

Then there is the percent for arts scheme, a poorly targeted scheme that could have done much more for the arts community but for Mr Stanhope's arrogance and his aversion, perhaps even allergy, to the concept of community consultation. There was no openness here, no honesty and no accountability. There is the story of the centenary art project, shut down on a whim, and taking the short-listed artists completely by surprise. At least one of them only heard of the cessation of the project from the media. This is not a government that deals openly, honestly with people. It was an insult to the artists and an insult to their work.

There is the bush healing farm, shrouded in secrecy. Initially this project took on the spectre of being a pet project of the Chief Minister when, without consultation even with their own stakeholders, he put forward Kama as the preferred site for the farm. When he was soundly rebutted on this, there was a casting around for other sites. The selection of Miowera has presented problems for the government. This has been highlighted by the freedom of information documents which have come to the ACT opposition. The fact that some of those documents that were obtained under freedom of information have been obtained elsewhere shows the complete abuse of the Freedom of Information Act in relation to the bush healing farm at Miowera. Like many other projects of the Stanhope-Gallagher government, it is just another example of lack of planning, lack of public consultation and lack of ideology.

**MR HARGREAVES** (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (4.04): Madam Assistant Speaker Le Couteur, I am delighted to see you in the chair. I welcome the opportunity to speak today on this matter of public importance. It was only last week in this place that we considered a very similar issue and reflected that openness, honesty and accountability have been the cornerstones of this government's approach leading into the 2008 election and in its dealings with the ACT community thereafter. The people of Canberra have expressed their faith in our approach and our policies and we have a mandate to get on with the job of implementing those policies. Establishing government following the last election, this government signed a parliamentary agreement with the ACT Greens, as you well know.

A major element of that agreement relates to reforms to the parliamentary system, and we believe that the implementation of these reforms contributes to even more open and accountable government. We have been determined to implement these reforms in the shortest possible time, and in this regard I suggest that our record speaks for itself. In total, there were 44 commitments on parliamentary reform agreed to on 31 October 2008. By 16 February 2009, less than four short months later, we had implemented 20 of them in full. While the government's current record on openness, honesty and accountability is plain to see, our commitment and adherence to these principles is something we have been focused on for some time. Our government is open and accountable, but we do not limit that openness and accountability to the members of this Assembly. As should be, we consider ourselves to be ultimately accountable to the people of the ACT.

There are a range of practical manifestations of this government's commitment to openness and accountability which I would like to speak about, particularly in its

dealings with the community and the community sector. First and foremost, as a demonstration of the way this government engages with the community and holds itself accountable to the community has been its extensive work setting a planning framework and vision for the ACT's future. In preparing the Canberra plan and its related plans, the Canberra social plan, the spatial plan and the economic plan, as well as preparing the 2008 update to the Canberra plan, the government spoke extensively with Canberrans and interest groups within the community. The renewal of the Canberra plan promoted a wider initiative to more firmly locate this key strategic document, as well as other government and portfolio plans, in an across-government performance and accountability framework.

This accountability in government initiative was funded in the 2008-09 budget, with the aim to, among other things, strengthen the government's capacity to deliver policies and service delivery outcomes and promote agency accountability and performance. A broader model of citizen-centred governance emerged very quickly from the initial focus to build in the desired community perspective and engagement into government systems and processes. This model covered three main elements of the government activity: priority and direction setting, service frameworks and delivery and accountability. Funding of \$398,000 in 2009-10 for the reaching out to the community initiative will support stronger across-government coordination of our engagement activities, as well as a broader Canberra community conversation on the big picture issues that affect Canberra's future. Last year the government announced it would consult with the community on preferred engagement methods and techniques. This work is underway and will inform the approach to the broader conversation on big picture issues.

Madam Assistant Speaker, the ACT government is also committed to remaining open and accountable through reform of its FOI legislation. On 11 February 2009 the first part of this reform process occurred with the removal of the provision of the FOI Act that allowed for the issuing of conclusive certificates, except where a certificate provides for national security information held by the territory. The government recognises that a broader and more comprehensive review of the FOI Act is needed, and on 2 April 2009 the Assembly agreed that the Standing Committee on Justice and Community Safety will conduct an inquiry into the Freedom of Information Act. The ACT's review of the ACT FOI Act will build on recent reviews of the commonwealth and Queensland's FOI acts. These examples clearly highlight that my government is committed to the highest standards of openness, honesty and accountability in the governance of the ACT.

The government recognises and values the role of the Legislative Assembly and its committees in holding the executive accountable for its actions and it similarly places great importance on engaging the community in its decision-making processes. One of the key obligations of any ACT government is to protect, defend and advance the ACT's interests. While there are times when it is appropriate and necessary to engage the community to seek their views and draw on their experiences and ideas, there are equally times when it is genuinely in the public interest, in the interests of the ACT as a whole, that the government conduct its decision making and its negotiations leading to those decisions in private. Open and accountable government is a feature of all Australian jurisdictions and in a small jurisdiction like the ACT, with a small

parliament and minority government, there is, quite properly, significant scrutiny of government decisions and plentiful opportunities and mechanisms for ministers to be held to account for their actions.

This government is happy to support those accountability processes, but it is not the same thing as opening up all decision-making processes. While I recognise and defend the Assembly's right to hold the government accountable for the decisions it takes, non-executive members are, however, not part of the government. And as much as perhaps they might like to be part of our decision-making processes and desire these processes to be entirely open, it is not the way in which governments based on the Westminster conventions operate. Government must be allowed to govern, to take decisions, and not all the processes leading up to them can or indeed should be conducted in public. There are genuine public interest reasons why some of the government's processes must be conducted behind closed doors. These are, perhaps, most evident in the areas of cabinet decision-making, commercial negotiations, industrial negotiations, legal matters and intergovernmental relations.

There is an expectation in the business community that government will treat certain information that it receives as commercial-in-confidence. This is true, for example, of the applications that are received from businesses for support under the ACT government programs such as innovation connect, trade connect and the investment facilitation program. It is also true for organisations seeking support under Australian government programs, such as the education investment fund and the cooperative research centres program. Such applications are typically provided with the requirement that they be treated as commercial-in-confidence, either through a specific statement to this effect or by seeking execution of a non-disclosure agreement or similar. In addition, in all other circumstances where commercial-in-confidence material is provided, officers are bound by the Public Sector Management Act 1994, which, *inter alia*, requires:

A public employee shall, in performing his or her duties, not disclose, without lawful authority—

- any information acquired by him or her as a consequence of his or her employment; or
- any information acquired by him or her from any document to which he or she has access as a consequence of his or her employment.

There is also a very reasonable expectation in the business community that certain negotiations with government will be treated in confidence. The government's negotiations with the Little Company of Mary for the potential purchase of Calvary hospital is a good example in this regard. It has been highlighted on numerous occasions that in the initial stages of discussions regarding the potential sale of Calvary hospital, the Little Company of Mary requested that these discussions remain confidential because of the nature of the consultation that they—that is, the Little Company of Mary—had to pursue internally.

Madam Assistant Speaker, in broad government procurement there is often a requirement for certain information to be held in confidence. However, all parties involved in the ACT government procurement activities and any resultant contractual arrangements are expected to behave in accordance with the utmost good faith. The

government's approach to this is clearly enunciated in procurement circular 2007/21—"Probity and ethical behaviour". The probity and ethical behaviour principle has two key aspects: the behaviour of public servants in conducting procurement, and the behaviour of suppliers engaged in the territory.

All public servants performing procurement duties for a territory entity must perform the task honestly and without favour or prejudice, spend public money efficiently and effectively and in accordance with the law and government policy and deal fairly, impartially and consistently with suppliers, keep confidential all sensitive information obtained as part of the procurement activity, not have an actual conflict of interest in relation to the procurement activity and not seek or accept any remuneration, gift, advantage or other benefit except as may be allowed in the normal course of their duties. All prospective tenderers should be treated consistently and equitably in accordance with these procedures.

Decisions should be made in a transparent manner that allows them to be understood and justified from the outset. The process, therefore, should be carefully documented from the beginning of the procurement process. Officers engaged in procurement are to employ and display the highest level of ethical behaviour. Ethical behaviour should be fundamental in guiding officers in all aspects of procurement activities.

In broad terms, ethical behaviour encompasses the concepts of honesty, integrity, probity, diligence, fairness, trust, respect and consistency. If we consider an example from an education perspective, parents want to know how their son or daughter is tracking. They want to know whether the school excels in history or maths and the areas where a school needs to improve. This government is conscious of the need to consult and negotiate with the community to find out the best way to provide exactly the information parents want.

The Minister for Education and Training recently wrote to all government and non-government school communities asking them about the type of report which best provides the information they are looking for. He expects to receive the report on their feedback by the beginning of July and will use this report to help decide the format of the 2009 NAPLAN report for ACT students. The 2009 report will be based on data that is valid and reliable. It will balance the community's right to know with the need to avoid misuse and misinterpretation of information. It will consider the community's views.

In relation to industrial relations, the government is committed to open and fair negotiations in making enterprise bargaining agreements which contain pay and conditions of service for territory employees. These industrial negotiations recognise good faith bargaining principles enshrined in federal legislation—that is, the Workplace Relations Act and the Fair Work Act when it becomes operational on 1 July 2009. During enterprise bargaining negotiations it is necessary for the government to maintain some degree of confidentiality—for example, to ensure that government as employer maintains its prerogative to determine appropriate resourcing and take relevant budgetary decisions.

The government has established consultative structures, including the joint council and agency consultative committees, which meet regularly to consult about

employment related matters impacting on staff. This enables employees and unions to contribute to the decision-making processes in an open way. The joint council is chaired by the Commissioner for Public Administration. The deputy chair is a member of the joint council nominated by UnionsACT. The joint council comprises the chair and five persons appointed by the commissioner and five persons appointed by the commissioner from persons nominated by UnionsACT. The purpose of the joint council is to provide a forum for the consideration and the open two-way exchange of information on matters of strategic interest in relation to the management of the ACT public service and identify whole-of-government matters of concern to ACT government employees, relevant staff organisations and management, and to collegiately work to address these matters.

Notwithstanding all that has been said here today, it is worth noting, of course, that few decisions of government remain confidential all the time. I would be concerned if any government made secret deals, took decisions in private and hid them from scrutiny. In the ACT, part of the openness of our system of government, and part of the strength of our accountability arrangements, is that decisions made are announced. It is at that stage that the merits of those decisions can and should be debated in the parliament and the press.

While it is clearly in the interests of good government in the ACT, and part of the government's established practices, it is an entirely different proposition to the expectation of some non-executive members that they will be part of negotiations and part of the government's decision-making processes. If it becomes known, for example, that the details of commercial negotiations with the ACT government will be conducted in public, and viewed through the prism of political debate, I suggest we will find it very difficult to attract new employers to Canberra and to achieve value for money in our negotiations with our suppliers.

It is manifestly in the public interest that these commercial negotiations take place in private and, indeed, it is as much to protect the commercial interests of companies with whom we negotiate as it is to protect the territory's interests that we conduct our negotiations in private. That is not to say that the government seeks to hide from scrutiny of its decisions. It is simply to say that while we should always be questioned on our decisions, held to account for those decisions in the Assembly and in the media, we do not serve the ACT's interests by conducting all of our negotiations in public.

Similarly, we cannot be expected to reveal all of our approaches and strategies for industrial negotiations to achieve service improvements, safeguard working conditions and ensure we remain an attractive employer. It is entirely proper that those negotiations occur in private. In the same vein, our colleagues in other jurisdictions expect that the detail of intergovernmental negotiations ranging from the COAG agenda to interagency memoranda of understanding for services will remain confidential.

Madam Assistant Speaker, I do not think many people in Canberra would find the expectations of confidentiality surrounding government decision-making remarkable. Indeed, they are approaches used every day in the commercial sector and in people's private lives. The government's vision for an open, honest and accountable

government is one that is sensibly linked to the needs for confidentiality at times within our system of government, one that ensures effective use of resources, and one that engages with both the Assembly and the wider Canberra population in a democratic process that involves constructive and beneficial conversations that promote trust and respect between the community and government.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (4.19): The Greens initiated seminal work in the area of open, accountable government for the Seventh Assembly of the ACT by proposing a process of developing a framework in the spirit of the Latimer House principles. We ensured that, in return for our support of the Labor Party to form government, an agenda of parliamentary reform was affirmed, an agenda that we believe has established the ACT Assembly as the leader in scrutinising and opening up the processes of government and taking a more collaborative and inclusive approach to the processes of parliament.

The parliamentary reform agenda was based on the endorsement of the Latimer House principles. As a result, several changes were made to standing orders, and inquiries were initiated into the feasibility of a parliamentary budget officer as well as the development and implementation of an evaluation plan for the Latimer House principles. My colleague Shane Rattenbury, in the Assembly last December when the principles were endorsed, said:

The Latimer House principles describe best practice for the relationship between parliament, the executive and the judiciary and provide guidelines which are designed to ensure protection of the sovereignty of parliament and the independence of the judiciary—two critical components of democratic governance.

The principles underline the importance of separation of powers but also acknowledge the complexity of the relationship between the three branches of government. They accord a high value to integrity and strong oversight agencies, which are critical components of an emerging fourth sphere of our system of democracy and protection of human rights.

This fourth sphere is sometimes called the integrity branch.

The ACT Greens MLAs believe that their first responsibility as members of the Legislative Assembly for the ACT is to the people of Canberra. We gave a commitment before the election to a stable and accountable government. Our accountability reform agenda expands on the principles and guidelines of the Assembly, with specific proposals relevant to the committee system, parliamentary procedures, parliamentary resources and enhanced integrity, including through improved access to information, supportive structures for oversight institutions and improved electoral law. As a result, our capacity in the Assembly to progress reform, to pass legislation, to draw in community and expert evidence, and to hold the government to account from the crossbench has been enhanced by this reform agenda.

Meaningful endorsement of the Latimer House principles requires ongoing commitment to their promotion, development and implementation, including an evaluation process. Therefore if we as an Assembly are serious about ensuring that we

meet the highest standards of governance and democracy as outlined through these principles, we must exercise open, honest and accountable practices in our representation of the people of the ACT.

There must be a process that allows for public intervention and debate and the understanding that effective transparency means that the public has access to accurate information in a timely manner. We are elected to represent all the people of the ACT, not a select few with particular interests, and it is a fundamental requirement that elected officials act ethically. Transparency is of vital importance, as democracy requires accountability, and accountability requires transparency.

The Greens believe that transparency is a powerful tool to demonstrate to the public that their money is being spent wisely, that all members of the Assembly are operating in an accountable manner and that decisions are made to ensure the safety and protection of all Canberrans. Open and accountable government, in its simplest term, is about trust and, if the government first displays a lack of trust in the public by not being answerable for their performance or results, then it is translated as the public's inability to handle and understand the information.

The government cannot operate in secret or refuse to disclose information to the public, as it is in essence stripping the public of its ability to oversee and hold the government accountable. The public must have sufficient information to fully understand the context in which decisions are made, and the Greens will be ensuring that these principles are upheld within the Assembly.

**MR HANSON** (Molonglo) (4.24): I thank Mrs Dunne for bringing this matter of public importance before the chamber today. It talks about very important matters—honesty, openness and accountability. At one stage all of us shared those three principles very strongly but, as we have seen this government go on and get tired, the adherence to those principles has ebbed somewhat.

If you compare their rhetoric when they were in opposition in 2001 to where they sit now as a government, it is a very different story. If you listen to what Mr Stanhope was saying back in 2001, that governments must be scrutinised, they must be accountable, this is the role of oppositions and so on, and if you listen to what Mr Stanhope was saying about how they are going to be measured, how they are going to be responsible and how they are going to be open, you hear more about how Labor understands that good government does not bully, it leads; good government accepts criticism; good government has the courage to allow itself to be closely scrutinised; it conducts its operations in an open, honest and accountable manner, not in secret. Labor rejected “the behind closed door deals and the failure of process, a failure of process that has left a legacy”.

Certainly back then they were objective to all of that and said that they were going to operate in an open, honest and accountable manner. But what have we seen? I think that what we have seen is a government that has increasingly behaved in the opposite fashion. I would contend—and I accept that this is speculation—that if it were not for minority government in this Assembly we would have seen a further erosion of this government's behaviour; that if it were not for the fact that we have now have

a position where the government cannot continue to ride roughshod over the Assembly and over the community, then we would have a situation that is far worse than it is today. So let us bear in mind that what good the government does and where it is open and where it is accountable, in the main, in my view, is because of the pressure that has been put on them now through the scrutiny that has been applied through this place by the opposition and—I will give credit where it is due—in most cases, by the crossbench.

Let us have a look at some of the areas where the government was up to its old tricks and has been up to its old tricks. Let us, whilst we have got Mr Hargreaves here—and I do understand that he was not the minister at the time—think about the Alexander Maconochie Centre. I think we all remember the opening that none of us were invited to. I am sure a lot of Labor candidates were. Mr Corbell certainly likes to invite Labor candidates to openings of government things like the Gungahlin police station. There is no doubt Labor candidates were invited. I know I was not. I am not sure whether you were, Madam Assistant Speaker Burch.

That opening occurred in September, on the eve of the caretaker period, at a time when the government was pretty much aware that there were ongoing problems and the risk, the chances, of them receiving prisoners in the short term were pretty slight. Indeed, that is what occurred. The government went out, with much hoopla, much glitz, much breast beating—and that is another quote, that they were not going to do that, but in this case they certainly did—and opened this wonderful new prison. But unfortunately it was not ready to receive prisoners. Do you think that is honest? It is a funny definition of honesty.

We then had the school closures, and Mrs Dunne certainly made mention of that. But remember, in the 2004 election, “no school closures; we will not close any schools”. Is that honest? Was that honest? Certainly I have been in a committee where I have had the opportunity to read a number of submissions from people who are affected by those school closures. I think that to say that the consultation process was open would be a long stretch of one’s imagination, to be polite.

Whilst on the matter of education, let me turn to class sizes. And this is another policy that Labor could not quite steal from us. They went part way in terms of reducing class sizes but what they did was shroud their weaker policy in their myth of class sizes. But it was about averages. And we have seen what averages mean with this government in the way they have used their statistics. I think it is 57 schools where class sizes have that average. The number is high—57 schools across the territory. But what you will hear is them use average class sizes to cloak the fact that they still have literally hundreds of classes in the ACT with class size averages way beyond 21.

Let me turn then to Calvary. I think there is a general acceptance that in some cases you do have to be prudent with information when you are conducting deals, when you are in negotiations. But if that is the case, then you do not go to the community, you do not go, as part of your election platform, and say publicly on the eve of an election, “All of our plans are on the table,” and ridicule the opposition. You do not say that you are open and say that you are honest if you know that you are, at that very time, conducting behind-closed-door deals. That is part of that quote that I read before about rejecting behind-closed-door deals.

You cannot have your cake and eat it. You are either open and honest at the election, “all our plans are on the table”, or you are conducting behind-closed-door deals. But you cannot have it both ways. So that goes to the honesty of it.

In terms of openness, the only reason we found out about this whole deal—let us remember this—is that somebody went to the media. Certainly the minister has basically said, “This came out well before we wanted it to.” When were we going to find out about this? We know that she did not actually run it in the budget. No doubt we would have found out—or would we have ever found out? I suppose that we would have needed to go through the books.

What about the accountability? Madam Assistant Speaker Burch, you and I have had brief words on this matter about consultation, a matter that is going to have so much impact on our health system in terms of what it unfolds, in terms of the delivery of the site of Calvary. To not consult, I find inexplicable.

Throughout the estimates process we have heard a litany of problems to do with honesty. We have heard of shonky deals, of no accountability when it comes to the paperwork and the process or running adverts at the hospital. I think that is most inappropriate. We have heard about candidates at the Gungahlin police station opening. We are yet to see the Costello functional review. So much for openness, so much for accountability and so much for honesty! If the government are prepared to back the logic of why they made so many of the decisions that they had in the horror budget of 2006, why not be open and accountable? What are they hiding? Clearly they are hiding something.

What does surprise me is that they have not released cabinet documents. I referred to the election commitments of 2001 when this government said it was going to be open, accountable and honest and said that they would release cabinet papers after six years. I have reviewed the legislation and, indeed, it is 10 years. So the rhetoric does not match reality.

When we do get to a position where this government is being held to account, what happens? We saw this last week with the extraordinary attack on the Auditor-General. The Auditor-General, in real terms, is having her funding cut to the point where, because of this government, she is basically able to do half the work that she did when she started with this government in 2001, when the Auditor-General was auditing back then. It is now going to be halved, based on the current funding projections.

This government then have the temerity, when they receive a valuable report, to threaten to cut her funding further. They order her to look for efficiencies. What a revolting, disgraceful attack on accountability, on openness! It is remarkable. But that is what we expect from this government, because their best form of defence is attack. And it is the only way they know how to do business.

We have had threats of legal action against me repeatedly because I dare to hold a minister to account, because I have dared to question what is happening with the FOI process, and rightly questioned it. We had the wild accusations made of bias

against the Speaker last week, an extraordinary attack on the chair. We had the extraordinary attack on reporting in the *Canberra Times* when he received press that he did not like, to do with the home affordability scheme. And we had an extraordinary attack on the coroner after the bushfires. So that is openness, that is honesty and that is accountability.

What we have is rhetoric that does not match the actions of this government. I think that, if it were not for the fact that we in the Assembly have people like the auditor keeping an eye on this government and what they are up to, we would be in a far worse position.

**MR SMYTH** (Brindabella) (4.34): I want to stand and follow my two colleagues but speak specifically about Tuggeranong and the way that this government have been honest, open and accountable with Tuggeranong in all their negotiations. You only have to think about block 1670 Tuggeranong to realise that this government have no intention of ever telling people the full story of what it is they want, and they have no intention of letting people into the negotiations at the early stage so that they can make a reasonable contribution to the process.

If you look at block 1670 Tuggeranong and the blocks that surround it, there have actually been four proposals, since the Stanhope government came to office, to go on this block, and in most cases it is because the public found out about it, public meetings were organised and the public expressed their opinion, that things were changed. Over the course of the last seven years, there was going to be a prison there, there was going to be a dragway there and there was going to be a data centre and power station there. And now we are looking at the option of a cemetery there.

**Mr Hargreaves**: No dragway was going to be there at all. You've got the wrong block again.

**MR SMYTH**: I said in that area.

**Mr Hargreaves**: Not in that area.

**MR SMYTH**: I said 1670 and the surrounding blocks. You need to pay more attention before you interject, John. You will be far more potent if you do it that way. I referred to that general area, but the minister does not listen.

Again, we have this litany of occasions where the government has tried to foist things onto the public and has been caught out. As soon as the idea for the prison came out, there was a community meeting, the Tuggeranong Community Council expressed concern and it went away. The government got caught. The Chief Minister got caught. He found the block. He pointed to the empty block on the map and said, "Put it there," but the community were on to him.

In terms of the dragway, again there was a public meeting. The gentleman in charge of security at the club where we had the meeting said he thought there were 1,500 people there. There were about 700 or 800 inside and about 700 or 800 outside—people who were concerned at the lack of consultation and the approach that the

government was taking on this issue, because they were wary of the government. And they were wary of the government because the affected area had also suffered through the government's flawed consultation, the government's version of openness, honesty and accountability, over the Karralika upgrade.

For those that do not know, Karralika is a rehab centre on the ridge between Macarthur and Fadden, and the government's idea of bringing the community into its confidence was to letterbox seven people, over the Christmas break, about a major upgrade that it really was not interested in the public knowing about. It was just going to go ahead. It was only because one resident, I think, saw the letter and told other residents that the Karralika Action Group was set up.

**Mr Hargreaves:** Yes, just after your secret meeting with them.

**MR SMYTH:** This is the nature of this government and, despite their words, they continue to be caught out. Despite that they have said that they have changed, they have not actually changed.

**Mr Hargreaves:** You know about that secret meeting, don't you? You forgot to choose the right number of people to go, and one of them was a spy.

**MR SMYTH:** Secret meetings? Now we have allegations; we have Mr Hargreaves interjecting that there were secret meetings with people. How dare the community meet—

**Mr Hargreaves:** And you ran it, Brendan. You ran that meeting.

**MR SMYTH:** I ran the secret meeting?

**Mr Hargreaves:** You did.

**MR SMYTH:** I ran the secret meeting? I must have forgotten about going to that meeting. But there you have it. As Mr Hanson said, as soon as they are caught out and they are brought to book, they are brought to account, they go on the attack and they invent things. They invent secret meetings. I am not aware of any secret meetings. If residents invite me to their homes to have a meeting, I often go, as do all of us. But are they secret meetings? If you deign to have a meeting with your neighbours, because John Hargreaves is not invited it is a secret meeting. Don't tell anybody, but the community are holding secret meetings against John Hargreaves!

That is the whole point of this MPI—that the government is not open with its constituents. We saw it in the lead-up to the election. The Deputy Chief Minister and then health minister: "All our plans are on the table." But they were not, and again they have been caught out.

But let us look back at block 1670 and the surrounding blocks. First we had the prison, then we had the dragway, then of course we had the data and power centre. Of course, the government was not truthful with the community on that one either. Allegedly, it was initially in Hume, and then nothing was available that would show the true

dimensions of it. It was not until a member of the community with some CAD drawing skills actually put together a representation based on the specifications that the public were enlightened as to the true extent of what was going near their homes. I think it is appalling.

This whole process highlights another community that is constantly disenfranchised, particularly by Mr Hargreaves in his urban services role and I suspect will be continued by Mr Stanhope now that he is the Minister for Territory and Municipal Services, and that is the horse community. There are a number of horse paddocks there, behind Rose Cottage, at block 1670, across the road in Hume, where the leases are on short notice and can be withdrawn. What people thought were long-term horse paddocks are now simply—again these are the words of the government, in an answer to a question I put on notice—“there and are tolerated because they are simply in a holding pattern until the government decides what use”. So, again, we have got a government that is not open, that is not honest, that is not accountable, in its negotiations with its community—and it goes on and on and on.

Tharwa bridge is a classic. It is great that Mr Hargreaves is here to have a discussion about Tharwa bridge. The people of Tharwa were given a “take it or leave it” option: “You can have a new bridge because that’s all we are doing.” That is what Tharwa residents have told me. That is what they were told—

**Mr Hargreaves:** That’s another meeting you didn’t go to.

**MR SMYTH:** that there was no option. Maybe you are having secret meetings. Is that the retort?

**Mr Hargreaves:** Yes, I had a secret meeting with 100 Tharwa residents; that is what I had.

**MR SMYTH:** The Tharwa residents turned up. I knew the meeting was on. The problem is that the government were not opening the negotiations with the Tharwa community. The community were given no choice. They were given Hobson’s choice—no choice, no choice at all: “Take this choice or leave it.” There was no choice.

**Mr Hargreaves:** Absolute rubbish!

**MR SMYTH:** The minister said there was no timber; that you could not get that sort of timber anymore: “It doesn’t exist. There is no timber.” Any search—Quicksearch, Google search, any sort of search you want to do—will reveal numerous sources of old timber. There are companies in Sydney and around Australia that specialise in recovering old timber, whether it be from old buildings, whether it be from wharves and piers—whatever. But, no, the minister knew best: “There is no timber.” Yet the timber is being prepared now. The timber that did not exist when there was only one option for the Tharwa residents—concrete, new bridge, concrete bridge—

**Mr Hargreaves:** Brendan, that is not the same timber and you know it. You confect it.

**MR SMYTH:** Confect? Go and talk to Tharwa residents about this. They know what you said. They heard what you said. The problem is that this is not a government that believes in being open, honest or accountable in its negotiations with the community. You only have to look at the major artwork that was proposed and the artists who were led on by the Chief Minister, who is minister for arts, in the preparation of their designs. Mrs Dunne has been following this issue and she knows well about it. We have spoken to the artists and they believe that the negotiations were neither open, nor honest, nor accountable, because they were led to believe that this work would proceed—and it was dropped like a hot potato. It was dropped like a political hot potato because the Chief Minister did not like the flak he was getting for his lack of openness, honesty and accountability with the community.

It goes on into business—the sale of the old QEII site that was linked to the sale of a block of land in Gungahlin yet ended up with a Sydney firm buying a block that nobody else knew about, in effect—the most Byzantine sort of route. Then Epicentre: one buyer knew what he was bidding on but nobody else knew what he was bidding on and, again, the losers in this case were the people of the ACT, who did not get the full value for the block of land that they should have.

There are so many examples where this government have refused to be open, to be honest or to be accountable in their negotiations with the ACT community that one could talk, I suspect, for the rest of the day, and probably for the rest of tomorrow, on it. But the critical one, the one that has stung the community most and in its own way has done the government the most damage, is their refusal to release the functional review into the ACT by Mr Costello. People had an expectation that, if this was the reforming document, if this was the document that was the basis for the reforms that would lead us forward, they would be able to critique that document. And we know from the select summary that appeared in the budget box that year that in most cases the premise put forward was incorrect and was debunked by the community, based on the limited information the government released.

The question is: what were they hiding? Were they open, were they honest, were they accountable in their negotiations with the community? The answer is simply no. They know they are wrong. They are constantly wrong and they are often caught when they are wrong.

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

**MRS DUNNE** (Ginninderra), by leave: Madam Assistant Speaker, in a desire to be entirely honest and open, I need to correct the record. In debate on the matter of public importance I said that I remembered clearly when Mr Hargreaves made the statement about “we didn’t consult you because we knew what you were going to say”. I said I remembered him clearly saying it here. In fact, when I reflected upon that, he did not say it here. What I clearly remember was Mr Pratt—a fond memory—repeating it in the chamber the weekend after Mr Hargreaves said it at a meeting at the Griffith library. I just need to correct the record.

## **Education, Training and Youth Affairs—Standing Committee Reference**

Debate resumed.

**MR DOSZPOT** (Brindabella) (4.45), by leave: Mr Seselja asked for an adjournment of this in the previous session. I am pleased to relate that, having had discussions on the motion previously—we have spoken on it—we would like to just reiterate that we will be supporting Ms Bresnan's amendment and we are happy to support this motion as amended.

**Mr Barr:** You have just indicated that you are supporting the amendment?

**MR DOSZPOT:** The amendment; that is correct.

**MADAM ASSISTANT SPEAKER** (Ms Le Couteur): The question is that Ms Bresnan's amendment to Mr Barr's motion be agreed to.

Question resolved in the affirmative.

Motion, as amended, agreed to.

## **Appropriation Bill 2009-2010**

[Cognate paper:

Estimates 2009-2010—Select Committee report—government response]

### **Detail stage**

Debate resumed.

Schedule 1—Appropriations.

Proposed expenditure—Part 1.7—Department of Treasury, \$42,496,000 (net cost of outputs), \$33,094,000 (capital injection) and \$33,472,000 (payments on behalf of the territory), totalling \$109,062,000.

**MR SMYTH** (Brindabella) (4.47): (*Second speaking period taken.*) Before lunch we had got to the part in the budget where we talk about borrowings. During the estimates, we asked the Treasurer whether she had considered any other options for sourcing loan funds. She replied that she had not and that there was no concern because the ACT would not be borrowing just yet.

I observe that it is now that the Treasurer should be considering all options for sourcing loan funds. It is likely that, in the not-too-distant future, there will be considerable pressure on borrowings, leading to governments having to pay more for borrowed funds, and it would be prudent for the Treasurer to try to think outside the box, although I recognise that, for this Treasurer in this government, that would, of course, be difficult.

There was, of course, some stinging criticism from the Treasurer when she tabled her response and, indeed, in question time during the week about the lack of information in the chapter on Treasury about matters economic. I point the Treasurer to the report. From pages 17 to 35, some 18 pages, it does cover all of her portfolio and covers it reasonably well.

It could have had a bigger section on economic matters because I actually proposed about seven or eight pages worth of additions that I would have liked to have seen in the report—prospects for the ACT economy, a fiscal strategy, a debt strategy, a response to the 2010 budget, the national accounts, budget forecasts, analysing budget outcomes, with recommendations against each of those areas. But unfortunately, of course, Ms Burch did not want those sections in the report. If Ms Gallagher wants them, I can provide her with the additional information but her colleague voted, with others, against these being included, to stop it going in the report.

It is interesting that we get the Treasurer complaining about the lack of information, the lack of analysis, in the report but her own side voted against it. The Labor member on the committee voted against it. I bet the member on the committee did not tell the Treasurer that little gem.

The attitude of the Treasurer towards the economic development of the ACT is very disappointing. Some weeks ago we had the extraordinary spectacle of the Treasurer arguing that it was not feasible for the ACT to achieve a relatively larger private sector. In the Assembly on 6 May she said:

Government administration and defence accounts for around 31 per cent of the ACT economy. It would be unrealistic to think that this proportion would change in any significant way, even with major government intervention ... The ACT will have a large government sector for a long time to come.

Indeed it will, if that is the current thinking and philosophy of the government and the current thinking and philosophy of the Treasurer.

The problem is that the minister is incorrect. It has changed over time, and you only have to cast your mind back over the last decade to the ebb and flow of employment in the ACT, whether it be in the public or private sector. In 1995-96, 60 per cent of the ACT's workforce was in the public sector. By about 2001, it was 40 per cent. The private sector had grown.

Because of the behaviour of the Stanhope government and their failure to capitalise on opportunities to expand the private sector of the ACT, it has slipped back. As the commonwealth expanded, opportunities were not taken. The last figures I saw said that the private sector had dropped to about 55 per cent and the trend was down. And that is a shame, because there are opportunities there, and the way to make it work is to do something about it, to actually have a strategy.

Give Ted Quinlan his due: when he was here, at least he had a strategy; he was blunt; he said it was a statement of the bleeding obvious. But at least it was a statement; it

had actions in it, almost 50 actions in it. It included nine sectors. But all that, of course, has gone out the window.

Last August, in the lead-up to the election, we had such a damp squib of a document released that it is impossible to find out any strategic objective in that document. It is a contrast to the comments of the then Leader of the Opposition, Jon Stanhope, on 26 May 2000:

... it is essential for solid economic growth to broaden the economic base of the territory.

He knew it was right when he was in opposition but did not care about it when he was in government, and that is so standard of this government. You trawl back through the old documents and they are incredibly amusing as to the things that the government forgot once it came to the treasury bench.

The Stanhope-Gallagher government is full of policy contradictions. It said lots of good-sounding things in the lead-up to the 2001, 2004, 2008 elections but, in the intervening eight years, those lofty ideals and those positive policy objections have been sacrificed.

The Treasurer has made much of the Tony Harris documents that the committee has posted to the website. This year the estimates committee tried an experiment of engaging an independent economic expert to provide a detailed insight into the ACT budget and into particular estimates.

**Mr Barr:** It is an experiment, is it? When they do not like what he says it is an experiment.

**MR SMYTH:** If you would simply wait. It is an experiment because it is the first time we have done it.

**Mr Barr:** You were desperately unhappy with what he had to say, weren't you?

**MR SMYTH:** If you would let me finish. Tony Harris, the former NSW Auditor-General, was appointed and I think he did an excellent job. There you go. It was a good outcome. He provided a number of reports—

**Mr Barr:** Why have you not quoted from it at all in the estimates report?

**MR SMYTH:** Because it was advice to the committee. It is the same as we did not put in the document as well as the quotes of the committee staff who gave us advice. He provided a number of reports for the estimates committee. And, contrary to the invective of the Treasurer, these reports were valuable for the members of the estimates committee. I certainly found them very interesting. They were used to provide a more detailed understanding of the complexities of the budget.

I say, again, that the Treasurer, when asked if she could give us a detailed briefing, turned the estimates committee down. We just had the MPI on honesty, openness,

accountability, helping people. The estimates committee, appointed by this place, asked the Treasurer for a technical briefing on the document, particularly to assist the new members, and got turned down.

We have the bleating of the Treasurer, "Work with us, talk with us." We spoke to her. It was not just the Liberal Party members on the committee; the Liberals, the Greens and the Labor member agreed that we write and ask for this briefing. We were simply turned down. Mr Harris provided some reports. They proved to be very useful and I think they gave a more detailed understanding of the complexity of the budget and assisted us to think through a number of the issues.

The Treasurer's comments made in response to a dorothy dix question asked last week that the estimates committee apparently ignored Mr Harris's reports are simply wrong. Once again, the Treasurer has raced into the chamber ill prepared. Let me dwell on Mr Harris's reports for a moment.

It was not appropriate for us to quote slabs of advice provided by Mr Harris. Rather, his valuable advice was of great assistance to us as we deliberated on the complexities of the ACT's annual budget. I believe that we made excellent use of Mr Harris's expertise. And having access to a person with his knowledge and experience, I think has been a very worthwhile exercise on the part of the estimates committee this year.

As somebody who sat on estimates committees for some years, I think it is great and we should make sure that all estimates committees in the future have similar support. It will be interesting, when the discussion on the parliamentary budget officer comes back, where the Assembly goes with that.

The Treasurer seems to think that Mr Harris has endorsed her approach to the budget. Again, she is selectively quoting. How wrong she is. She clearly has not read all his reports. Mr Harris, for instance, criticised the Stanhope-Gallagher government for having the highest rate of payroll tax in Australia, for having the highest levels of service of any government, for budgeting for more than a modest increase in expenses in 2009-10, for not finding savings in 99.99 per cent of all spending for 2009-10, for failing to make savings in the 2009-10 financial year, for budgeting for accrual-based savings that will be insufficient to meet all expenses accrued during the year, including costs such as depreciation.

**Ms Gallagher:** Read all the positive stuff he said, Brendan.

**MR SMYTH:** I will leave that to you; you selectively pick. He criticised the government for having had an excessive number of different presentations from the government's operating result.

There is a rather large increase in the rate of spending on education in 2009-10. The Treasurer does not quote what Mr Harris describes as a material variation, but you would not understand that language. There are generous increases in spending for primary and secondary education in 2009-10 and there may have been a use of inappropriate indicators by the Stanhope-Gallagher government.

**Ms Gallagher:** Where was that?

**MR SMYTH:** Go and read the documents. Have you read them all?

**Ms Gallagher:** I did. I found them. I found the most obscure reference.

**MR SMYTH:** You found them? The Treasurer now admits that, having made comments, she has found the documents and that she has read them. Need I go on? Need I say anything more? That litany should be sufficient to show that despite other comments made by Mr Harris—and we do not walk away from the comments; the comments are on the website—

**Ms Gallagher:** And then he said there is no evidence to support that in this instance.

**MR SMYTH:** No, I did not say that. This is so typical of the Treasurer. We have got the Treasurer who has the gall to come into this place, who has been quoting Tony Harris for two weeks, and then tell us she only just found this location on the website. We told you they were there; they are not hard to find. There are a number of documents, as you would know, Madam Assistant Speaker, there and they are reasonable documents. But you need to read them in their totality.

That litany should be sufficient to show that, despite other comments made by Mr Harris, he had a number of significant and fundamental criticisms to make of this budget. (*Time expired.*)

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (4.58): This budget has been formulated in the shadow of the global financial crisis which has presented an uncommon set of difficult circumstances in which to deliver a budget and project and forecast an accurate recovery time. However, this global recession presents a unique opportunity to enact a new vision that will ensure our economic prosperity while protecting our environment. Therefore, the Greens are concerned that the underlying approach of the ACT government is still very much “business as usual”.

This budget has not laid the foundations to evolve the ACT into a model that represents a more sustainable economy. The Greens expected the government to make a leading contribution to minimising Canberra’s environmental footprint, while maximising the value gained from economic activity. This budget does not adequately set out how we are to keep Canberra’s economy evolving to one which emphasises higher value, knowledge-based products and services alongside environmentally friendly technologies.

Where are the overall foundation measures to stimulate change in this direction? I note in the estimates committee report that the Property Council of Australia, ACT Division, has voiced concerns regarding the ACT government’s increasing dependence on a narrow revenue base, consisting of commonwealth GST revenue and ACT property taxes, as being unsustainable and that significant reforms are needed.

I concur with some of these concerns as the ACT economy needs to be placed on a sustainable trajectory, evolving to fall within the bounds of ecological sustainability,

while ending wasteful practices and pricing environmental externalities so as to minimise the inefficient use of resources. Where are the measures to maximise resource efficiency while safeguarding existing profit margins against rising costs and where is the innovative thinking within this budget?

This budget includes a significant capital works program which will go towards addressing underspending over the last decade, while insulating parts of the Canberra economy from international pressures. However, in recognising that capital works are needed, there is still concern that the economic weight in this budget relies too heavily on building as infrastructure, and the real value of the borrowings required for these projects may not be realised.

It is unclear whether the people of the ACT are receiving infrastructure that will serve them for the next decade and beyond. Infrastructure spending needs to deliver medium and long-term social and environmental benefits to the community, not just short-term economic stimulus. We need to not only be supporting jobs but creating them. Where is the vision to create a new sustainable workforce—a workforce that has a significant multiplier effect in the economy as a whole, through direct jobs created by manufacturing in such industries as solar technology to indirect jobs in associated industries that supply intermediate goods for building retrofits? The solution for building this new economy can only be realised through a genuinely serious reallocation of funding to our trade training centres which provide the seminal training that is needed to build new skill sets for jobs in green sectors.

Recommendation 18 of the estimates committee report advocates that the ACT government immediately commence development of a policy framework that will provide encouragement for the growth of the private sector in the ACT. This is an excellent opportunity for the government to begin work on creating a sustainable workforce and the green jobs that I have been talking about.

The ACT government has projected negative fiscal balances, which is largely due to the spending on capital for which the government will be borrowing nearly \$540 million over the next four years. I acknowledge that the government has sought to minimise its external borrowings but we are concerned that the borrowings are the most expensive part of any deficit, incurring real community burdens through the interest payments required. For such a high-value item, we need to be able to reassure Canberrans that these borrowings will deliver triple-bottom-line returns back to the community.

There is an absence of saving measures for the coming year, which is attributed to the global economic recession, and that means any savings this year would only worsen the initial shock of this recession. However, the government has stated its intention to find savings of approximately \$300 million through efficiency improvements. These efficiency dividends which will be introduced in 2010-11 are of significant concern to the Greens, as the process of consultation, both within the departments and the community, must be conducted with a genuine desire to find actual efficiencies and not merely the cutting of staff and services.

The Greens will also be watching closely the way in which the government intends to provide adequate services to the community in these difficult financial times. This

budget states the expenses are slated to grow at seven per cent in nominal terms, which we acknowledge is not modest in comparison to other states and territories. However, will there be an adequate allocation of funds to prevent the cutting of essential services to the community?

I note Mr Tony Harris's comment that "it would be surprising if an annual budget of approximately \$3.5 billion could not provide opportunities to improve value for taxpayers without changing policy". On the basis of this advice, we would be expecting that the government can find savings while maintaining the current level of service delivery to the community.

This budget does not give a clear indication of where savings measures will be made in the coming years. We can see that reductions in ACT government spending are scheduled to occur in 2010-11 and that even larger cuts are required by the budget over the following two years; yet there are no indications at all as to how these savings will be made. The debt exit strategy appears to rely heavily upon the structures that lead to the deficit, with extreme uncertainty ahead of us.

The Greens understand that the government's budget plan identifies the significant deficit resulting from external global impacts on revenue and, as a result, the need for stimulus spending. We also understand that they have identified savings targets and called for wage restraint. However, we are very concerned that there is a disproportionate reliance on the projected increase in growth made by the commonwealth for a higher economic return and, in turn, higher government revenues. Some have argued that the commonwealth projections of 4.5 per cent for its later outyears might be overly optimistic and, if this is the case, will the government's plan for savings through efficiency dividends be adequate to return the budget to surplus? It is fitting that in difficult global economic circumstances we increase spending and support our regional economy, but the Greens share the concerns of community groups and the Canberra Business Council that some serious measures will need to be taken to claw back deficits in future years beyond 2010.

The Greens will be closely watching the result of the government's consultation process to ensure that the plan to restore the territory to surplus does not come at the cost of essential services to the community. We will also be pushing for considerable progress to be made in developing a green economy in the ACT that will lead to jobs in the areas of training, research and development, as well as the establishment of green businesses and industries.

**MR HANSON** (Molonglo) (5.06): Madam Deputy Speaker, I am surprised to hear from the leader of the crossbench about what she thought of the budget in such an open and frank manner. I will get to that a little later, but there were some very illuminating comments about the concerns that she has with the budget, and I thank her for those comments.

I would like to take this opportunity, because I have not done so yet, to thank the estimates committee. I have read the whole report. I think it is an excellent report. It is very detailed. I think the recommendations are frank and honest. Obviously, all members of the committee worked very hard. I particularly commend the chair,

Mr Seselja. It is not an easy job, obviously, to look after that committee. I also commend my colleague Mr Smyth for the excellent work that he did. His knowledge, background and experience really showed through in that regard. I also commend the crossbench members for the support they gave to that committee and the way that they negotiated the outcome. We will not always agree, but it is a very good report and I commend them for it.

As I turn to look at the bill itself, in the broad, and the Treasury aspects of it, it is useful to reflect back on what the government has said previously, when it has been in government and when it has been in opposition. The quotes that I am now going to read come from when the government was previously in opposition. This is a good one:

But what if so much hadn't been thrown away in dubious schemes or the bizarre?  
Many millions of dollars could have been directed to more pressing needs.

What a wonderful quote from Mr Stanhope. And here is another good one:

We will not waste our children's futures. We will not throw money away. We will not be irresponsible.

Well, in the context of what we see in this budget of the monumental spending, the appropriation that just keeps growing and growing in such difficult times, isn't it a shame that we have—

**Ms Gallagher:** Where are we throwing money away, Mr Hanson?

**MR HANSON:** I can take you on a tour of Canberra's artworks, if you like, Ms Gallagher.

**Ms Gallagher:** Oh, that's throwing money away, is it? You tell the shadow minister for arts that.

**MR HANSON:** I think she made some very good points before about some of the roadside art.

**Ms Gallagher:** Funded in this budget?

**MR HANSON:** Indeed she did. The myth that the government put forward—and they are alluding to it there—is that somehow the opposition should be delivering an alternative budget. They say, "It's opposition for opposition's sake." Do I get a bingo round there? Do I join your point scoring lead there? This is what they say all the time.

**Ms Gallagher:** This is the cliché king.

**MR HANSON:** Really?

**Ms Gallagher:** Yes.

**MR HANSON:** Is that my new nickname?

**Ms Gallagher:** We're doing a cliché tally.

**MADAM DEPUTY SPEAKER:** Ms Gallagher!

**MR HANSON:** Well, at least I come up with refreshingly new ones. I am not just stuck in the rut of "opposition for opposition's sake". I hope that I can provide fresh and new clichés and not just the same ones all the time.

**Mr Barr:** How about you practise this one: "Liberals are bad for Canberra".

**MR HANSON:** Really? How about this one: "Liberals are good economic managers". I think that is a good cliché.

**MADAM DEPUTY SPEAKER:** Mr Hanson!

**Mr Barr:** There's no evidence to support that, though.

**MADAM DEPUTY SPEAKER:** Mr Hanson, can you resume your seat for a minute. Will you stop the clock, please. Mr Hanson, could you address your remarks through the chair, please.

**MR HANSON:** Certainly, Madam Deputy Speaker. I was being distracted by those pesky members opposite.

**MADAM DEPUTY SPEAKER:** Will you stop being distracted, if you possibly could.

**MR HANSON:** I will try and address my comments through you. They are very distracting.

So where are the six Labor budgets that they obviously prepared when they were in opposition? I hope that the Treasurer, or indeed Mr Stanhope, could table those by the close of business—the budget papers that they prepared when they were in opposition. That is basically the job that they are asking us to do. It is plainly ridiculous. I will quote from Mr Stanhope in terms of what oppositions do:

Governments must be scrutinised. They must be accountable. That is the role of oppositions, and it is a role that is particularly necessary as governments become lazy, arrogant, aloof and accident prone.

I must confess, Madam Deputy Speaker, that I have read that one before. That is starting to become a little bit repetitious; nonetheless it is a goodie.

What we have seen from the government, and what we have seen from the interjections, is a line of attack as their best form of defence. It is their singular form of debate in this chamber, it would seem, and externally—and we have seen that recently in terms of the attack on the Auditor-General. What we see here, though, is really a lack of a plan that will get us out of budget deficits. They say that these are short-term, temporary deficits.

**Mr Smyth:** Seven years, yes.

**MR HANSON:** Seven years? My goodness!

**Mr Smyth:** Biblical, isn't it?

**MR HANSON:** Yes, it is. It is quite biblical in its term. Anyway, that is the new definition of "temporary". So with the long-term targets that we see littered throughout the budget in terms of the strategic indicators, I just wonder what "long-term" means. If "temporary" is seven years, then my God, I wonder; I suppose it is—

**Mr Smyth:** It must be biblical—seven times seven.

**MR HANSON:** Seven times seven, that is right. That is your lifetime, isn't it?

**MADAM DEPUTY SPEAKER:** Mr Smyth, we can do without the commentary.

**MR HANSON:** So instead of long-term targets they should be lifetime target indicators. But part of the reason they say that they have got no plan is that, "Well, we've got to go out and consult with the community." I thought that is the way the budget process works: you go and do some consultation—and they certainly did that; they called for some consultation—then you make decisions and then you make plans.

This government criticises the opposition for not having a plan when it is in opposition and then delivers a budget like this and says, "Basically it's business as usual; we'll tell you next year what we're doing." It says that any efficiencies that it has in there, any savings that it has in the budget, are coming next year and it is going to come back to us with a plan once it has done the consultation. It just shows that this government does not have a plan.

The whole sham about the consultation is their way of saying, "Yes, we know we don't but we'll come up with a bit of an excuse for that." If they genuinely believed in consultation then I think they would have agreed to my motion about Calvary and they would have said, "Yes, we'll need to consult." They say they have got to go out and have broad consultation about cuts in the budget, but they are not going to have any consultation about Calvary. So it is a pretty inconsistent measure, and we know why: they do not have a plan. Unfortunately, the Treasurer is not really up to the job of making the hard decisions, is she?

It is good that Mr Barr is in the chamber, Madam Deputy Speaker, because we saw the history unfold when it came to school closures. The minister for education at the time was Ms Gallagher. With respect to perhaps some schools that needed to be looked at for their efficiencies, what did she say? "No, we're not going to close any schools; we're not going to do it." That was because she was not up to the job.

This is Mr Barr's assertion. He basically said as much in the evidence he gave to the inquiry into the school closures. It was up to Andrew to come in, save the day and cut

all the schools. He is clearly the bloke that they go to. He is the “go-to” man when they want some hard decisions made, some cuts made. And he said as much—that Ms Gallagher was not up to the job of making the hard decisions, she could not do it, and they needed Mr Barr.

We all saw the front page of the *Canberra Times* on budget day, with the picture of Ms Gallagher, and it was not pleasant. In the back pocket I think there was a razor blade for 2010. I wonder whether it will be her or whether, once again, when it comes to doing the dirty work, they will give the job to Mr Barr. We will just have to wait and see whether next year she will actually start making some hard decisions.

With respect to some of the broader problems that we see with the budget, where do you start? One of the aspects that really concern me is the rollovers. This is a government that is not getting the job done. Regardless of the amount of money that is now being appropriated, some \$3.7 billion, what we see is that the job is just not getting done. There is \$57 million in rollovers in Health alone. And we saw the problems that we are having with the hospital car park—it has been delayed, it is a year late already, it has gone from \$29 million to \$45 million. As soon as the government gets a little bit spooked by a letter in the *Canberra Times*—boom! It is called in. Not only is this government spending, and spending without any sense of proportion, but it is also not delivering.

I just reflect on the role of the crossbench in the budget. It was certainly interesting to hear what Ms Hunter had to say.

**Ms Hunter:** Thank you, Jeremy.

**Ms Gallagher:** He doesn't mean it.

**MR HANSON:** I guess the struggle for the crossbench in some terms is the balance between the ideology that they have—

**Ms Hunter:** Really? Is he being sarcastic?

**MR HANSON:** There is a bit of a love-in going on—that they share, the ideology that is shared, and then their desire to see accountability. The problem that the crossbench seem to struggle with is that they do like some of the ideology that is in the budget but they do not like some of the lack of openness and accountability that they are seeing from the government.

In some ways they have been sold out here. What we are seeing is a budget in which the Auditor-General is not going to be funded sufficiently to have ongoing performance audits—they are being cut. With respect to a lot of the measures in the Greens-Labor agreement, such as buses, housing and mental health, they all become a little bit aspirational. (*Second speaking period taken.*) So the aspirations have become just that. It is a matter of saying: “Yes, trust me. We'll get there in the end. Sign off on the budget and we'll get to those in the end.”

But what this budget does not lay out is when we are going to see some of those aspirations, in terms of mental health funding, the 12 per cent, the buses running every

half an hour, the social housing and some of the sustainability measures that Ms Hunter was alluding to in her speech. When are they going to be delivered? The Greens have got to have a look at what is being delivered in this budget and at whether they are being sold a bit short.

We will await 2010 with great interest. We will see whether Ms Gallagher is up to the job in the next budget, as she has clearly failed on this one. I know it has been hard work for her. She was on the radio the other day complaining that she was in the estimates committee for 20 hours. Twenty hours is a long time, but there is \$3.7 billion in appropriations, so she got through \$185 million an hour. That is not bad work. If she is complaining about the level of scrutiny through the estimates committee, having been in there for 20 hours, it is really not such a hard task.

When it came to the estimates report that she was so critical of, that it was such a bad report, when she was asked on Triple 6 to name just one of the recommendations she did not like, could she do so? No. She did not have the report with her, so she could not remember one of them. So with respect to this report that was so horrifying that she could not agree with it, she just could not remember the recommendations.

**Ms Gallagher:** I don't think I used the word "horrifying". Are you verballing me again, Jeremy?

**MR HANSON:** I am happy to withdraw the word "horrifying". Certainly, you did not like it, did you, Ms Gallagher, I think it is fair to say.

**Ms Gallagher:** No, it was a hopeless report; I said that.

**MR HANSON:** I think it is fair to say that. What we see here is a government that is going to commit us to seven years of deficits, but they are only temporary, so it says, "That's okay; don't worry about it." A lot of the stuff that was signed up to in the Greens-Labor agreement is not being delivered.

**Ms Gallagher:** I don't think I've ever used the word "temporary". I will go back and have a look.

**MR HANSON:** That is aspirational.

**Mr Seselja:** How do you define it?

**Ms Gallagher:** I think if you read the budget plan, it says a "long-term recovery strategy".

**MR HANSON:** "We'll have a bit less accountability because we'll cut the Auditor-General."

**Mr Seselja:** So it's long-term deficits then?

**Ms Gallagher:** A long-term recovery.

**MADAM DEPUTY SPEAKER:** Could you stop the clock for a minute.

**Ms Gallagher:** Read the papers, Zed. Get your facts straight.

**MADAM DEPUTY SPEAKER:** Mr Seselja and Ms Gallagher! We are having these conversations across the room again. Mr Hanson has the floor.

**MR HANSON:** Thank you, Madam Deputy Speaker. The topic here seems to be deficits, and let me quote again—I love quoting Labor—from one of their documents.

**Ms Gallagher:** It's what you do when you've got 7½ minutes to fill.

**MR HANSON:** No, I don't actually; I haven't used all of my time. I quote:

We keenly appreciate that deficit budgets and high debt are serious impediments to dealing with social priorities.

So let's just think, "Don't worry about it; it's seven years of deficits, temporary deficits; she'll be right." Let us just remember that every year that we have a deficit, that is having serious impediments to dealing with social priorities. So at some stage when you go into debt, when you have a deficit, you have to pay. What we await, more keenly, I think, is next year's budget, and the budgets thereafter, where the people of Canberra will need to pay for the failure of this year's budget.

**MR DOSZPOT (Brindabella) (5.20):** I would like to start my response with a couple of direct quotes from the Harris review of the ACT budget 2009-10. I quote:

The Commonwealth has budgeted \$874 million for total general revenue assistance for the ACT in 2009-10. Of this about \$35 million is for special purpose municipal payments. The balance of \$839 million comprises GST payments. Thus, before the ACT budget is a week old, it has suffered a nearly \$50 million GST revenue shortfall for the first year. Similar reductions are to occur in the forward estimates period.

This revenue adjustment will, unless offsetting steps are taken, reverberate through the budget and the forward estimates. It will increase deficits on operations, and worsen fiscal balances.

The territory's headline operating balance will now reach new heights as a result of revised GST to deficits of around \$135 million in 2009-10, \$159 million in 2010-11, \$211 million in 2011-12 and \$205 million in 2012-13. We would anticipate and hope that the global financial crisis will by then be behind us. Yet, according to the government's forecasts, they will continue to be in deficit until 2015-16. The question the opposition has posed to the government on this budget has been: why put off the hard economic decisions? This is irresponsible governance.

Department heads and community groups are faced with the challenge of coming up with the one per cent efficiency cuts, not now but in the next fiscal year. The efficiency dividend that needs to be found, starting next year, over the next three years in the Department of Education and Training alone is \$12 million. The pain is obviously yet to come and a responsible government would not prolong the agony.

This is a budget that clearly ignores the reality of the times and is in line with the standard Stanhope-Gallagher economic plan: don't do today what you can put off till tomorrow. Remember how well that worked with the Gungahlin Drive extension? We have 20 million reasons to remember that one. There is no plan. We have had the Treasurer herself articulate when she received the news from Mr Rudd that we would be receiving \$183 million less in GST revenue that she would have to tweak this black hole in the budget. I quote from Minister Katy Gallagher on 14 May 2009:

So our plan remains the same but we're certainly going to have to tweak it based on what we saw last night.

We need look no further to find blame than to the Stanhope-Gallagher government, because they have failed to prepare the territory and they have irresponsibly squandered the good times.

I would also like to put on the record my abhorrence of the way this government abuses process. My experience over the past six months of being in this place has been that he who screams loudest gets heard. There is no transparency, no consistency between ministers and convention is rarely adhered to. Members of this government feel it is beneath them to listen to constituents. I have had a number of people say to me that they cannot even get someone to answer the phone in some ministers' offices. The opposition seems to be the last resort for some in the community. All trust has been lost when it comes to the Chief Minister and his cabinet.

I have had occasion in recent months to question the content of briefs facilitated with departmental officials by the minister. I was told that I was being given a full brief on a particular issue by departmental officials but, in reality, I was in receipt of a Clayton's brief, the brief you get when they do not want you to know the real story. It is also apparent that there is no whole-of-government approach to anything and much buck passing between the ministers themselves when it comes to the hard issues. This approach to accountability has left me sceptical and wary of this government. It has left me expecting the worst kind of behaviour from ministers. I now find myself having to read between the lines whenever I receive communication from a member of this government. The obfuscation and prevarication tactics and standards that are set by the Chief Minister and faithfully followed by his colleagues are also applied to the budget.

I think we must all remember how this government has operated in the past as a majority government. It thinks it can still bully its way in a similar fashion. We must remember the budget of 2006 and the secretive Costello review which provided the catalyst for some monumental changes to the operating budget of all agencies in the ACT. That catastrophic year apparently saw savings of \$100 million. We now are faced with the challenge of finding four times as much in savings. As stated by our shadow Treasurer, Mr Smyth, this will require an entire rewrite of the ACT budget. There is a huge challenge facing this government in the years leading up to the next likely surplus budget. The uncertainty of not knowing where the axe will fall and the haphazard and secretive way in which this government goes about its business is its legacy to the people of the ACT.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (5.25): I rise in support of the budget and in support of the government's economic strategy. It is interesting that in the speeches from the members of the opposition who preceded me we had a curious mix of different policy positions in relation to what the fiscal policy stance of government should be in an economic downturn. There are a few over there who seem to adopt a neoclassical view that at any point in the economic cycle the government must always remain in surplus. There are obviously a few adherents to that policy view on that side. There are a few others who, simultaneously, want you to spend more and cut more at the same time. Then there is probably the Seselja view, which is: we will cut a certain amount but then spend even more than that and then come back into this place and criticise the lack of an apparent strategy.

Mr Smyth has probably got three lines as shadow treasurer. One we hear a lot is around diversifying the economic base: opposition—bingo!—there. One of his favourites, because it is the stock standard response to any policy issue, apparently, is that there must always be a plan and if there is a plan the plan does not have enough detail and if the plan has too much detail then he does not like the plan and we should have another plan. That is all that you get from the opposition. It is not often that I commend the Greens party, but in the ACT they are showing more economic responsibility and a greater level of economic understanding than the Liberals. I think those opposite might want to reflect for a moment on what the average Canberran would think—that the Greens in fact are showing more economic responsibility than the Liberals.

A point that Mr Hanson raised in his contribution was that it is unrealistic to expect opposition parties to come forward with alternative budget statements. Again, I would like to commend the Greens in this matter—not the ACT Greens but the Tasmanian Greens. They have released and put on the public record their alternative budget strategy for Tasmania. It is interesting, Madam Deputy Speaker—

**Mr Smyth:** Yes, but it is an election year.

**MR BARR:** "It is an election year," I hear. So only in election years will other parties be required to put forward alternative budget strategies. I commend the Tasmanian Greens for at least having a position. The Tasmanian Greens have set an example that the ACT Greens might choose to follow by publishing an alternative budget statement. It lays down the challenge to the Liberal opposition to come forward with an alternative set of views. There are elements of the Tasmanian Greens' policy strategy that are applicable to the ACT and they are grappling with many issues that are similar to the ones we face in Canberra. They have adopted a novel policy approach, which is effectively to cut back public sector wages in Tasmania, to make everyone work 2½ hours less. They will save \$100 million that way in order to fund a range of green initiatives that look remarkably like what we see in the ACT. I wonder who borrows from whom. But they are interested in cruelty-free eggs brand promotions and they want to spend money on organic carrots. There are a range of things that the Tasmanian Greens are interested in and I will give them credit for having the courage to put forward an alternative vision and strategy. We would welcome that from the

local Greens and from the ACT Liberals. In this context I commend the local Greens for at least having something of substance to say on the budget, some alternative views, some economic credibility.

When you go to the heart of the estimates committee report, which was essentially the work of the Leader of the Opposition, what do we get? We get calls for 29 new reviews, 27 new reports, 22 extensions of existing reporting requirements, six calls for new analysis or investigations, four calls for more resources for the opposition or the Greens, 24 calls for the rewrite of administrative processes, three calls for new government expenditure and one witch-hunt. That is the estimates committee report. That is all they came up with: more reviews, more reports—115 recommendations calling for more bureaucracy and more taxpayers' expense.

The Liberal opposition want to walk both sides of the street. This is what we have consistently seen. Mr Doszpot in his contribution said that there is no plan, that we should go in harder and that we should go in this year. He then spent the second half of his speech criticising difficult decisions that were made in 2006-07 to fundamentally alter the structural position of the territory's budget to better align service provision with revenue—a series of long-term decisions for this territory's economic health. The Treasurer is to be commended for this year's budget approach and for not adopting a slash and burn approach in an economic downturn. What that means is that the government can play a productive role in supporting the economy through these difficult times.

It is interesting that those opposite have, through the estimates committee report, sought more government expenditure in a range of areas. But they are yet to indicate any substantive and significant structural reform to the territory's budget. If you are fair dinkum about contributing to the economic debate, let us hear your views on significant structural reform. Dare I say it, let us hear your views on some serious microeconomic reform, because you cannot even stomach the most simple of streamlining measures within the bureaucracy. We have all this emotive claptrap from Mr Doszpot about people living in fear. What utter rubbish! It is rhetoric in the place of any substance and it is what we get from this lazy and complacent opposition. It is unfortunate for the people of Canberra, but it is what we will continue to see. There is one party in this place that has an economic vision and a plan and that is Labor. There is another party that is trying and that is the Greens. And we have absolutely nothing from the opposition. The Greens are well intentioned. They miss the big picture a lot of the time but at least they are making an effort. Opposition for opposition's sake is all we get from this lot.

Mr Speaker, we are all enjoying the enlightened views of Mr Harris and his comments to the estimates committee. I will close on a quote from Mr Harris:

The ACT general government has one of the strongest, if not the strongest, balance sheets of all Australian states and territories. Even though it is embarking on a large capital works and capital investment program, its budget suggested that it would emerge in four years time with no net debt.

Why is that so, Mr Speaker? It is because during periods of strong economic growth this government ran successive budget surpluses, something the Liberal Party has

never achieved at any time in the history of territory politics. It has never been able to run a budget surplus. We were able to do so. We have significant cash reserves. The ACT has the strongest balance sheet, equal to if not the strongest balance sheet of any state or territory. That is down to the good work of Mr Stanhope when he was Treasurer and now Ms Gallagher as Treasurer. We have strong economic leadership in the territory, provided by the Australian Labor Party.

**MR SESELJA** (Molonglo—Leader of the Opposition) (5.34): It is always difficult to know where to start when Mr Barr gives one of his rants. You are not sure whether or not he has consulted an economics textbook quickly before he has come down and given us his tutorial on economics. It is always quite enlightening, because it is always sprinkled with the ridiculous use of clichés, Orwellian language and, of course, a complete failure to ever come up with any ideas. This is the man all of whose ideas are taken from the other side of politics. It happens consistently. On economics, whether it is in the planning system or whether it is his ideas in education, he is constantly looking to the other side to get his ideas. There has not been one original idea to come from him in all of his time as a minister.

We heard the lecture he started with on microeconomic reform. Of course, the centrepiece of his broad microeconomic reform agenda was to get rid of the EPIC board. Getting rid of the EPIC board was the big issue of the day. Let us face it: that is what the punters are talking about. When they think microeconomic reform in the ACT, they think about that EPIC board. Instead of having a board of independent people, they thought that they could have two boards. We could have the advisory council on top of the board or we could just bring it back into the department and we could have a little more centralised bureaucratic control, a little less independent advice and the \$50,000 that was going to be saved from this significant and wide-ranging microeconomic reform unfortunately was not realised.

This is the record. He tried one ridiculous attempt at what he calls microeconomic reform and it failed. It was rejected because it needed to be rejected. It was a bad idea. Mr Barr sort of gives me a lot of credit. I am very pleased that he believes that I am so powerful, that I had three votes in the estimates committee, that I was able to control three votes and I was able to get through whatever I wanted. He says that the estimates committee report is indeed simply a reflection of the whims of the Leader of the Opposition. It is a completely ridiculous statement made by Mr Barr and it seems that when he goes off the playbook of clichés, he tends to struggle. If he is not saying “Take the politics out of planning,” or accusing us of “opposition for opposition’s sake,” he does not seem to have much substance there.

The other aspect we have in Mr Barr’s speech is the new approach of being nice to the Greens. We know that the area of greatest challenge has been Mr Barr’s prickly relationship with the Greens. Now he has decided that he is going to be nice to them. He did not quite get over the line. He was his usual patronising self when he was being nice to them. He did talk down to them as he said they are trying hard, but it is an interesting shift.

We were not sure at the time. We thought it was just a factional stitch-up in terms of the Treasurer’s job, but perhaps it was actually the caucus coming to the view that he

was simply not up to the job of being Treasurer. Indeed, just as we have a shadow shadow planning minister in Mr Corbell, it appears we have a shadow shadow Treasurer in Mr Barr. He will come here and tell us his thoughts on the budget. Of course, he did not spend much time going on about the budget. He did not spend a lot of time defending it or talking in detail about the apparent plan for recovery. This is, Mr Speaker, an irresponsible budget.

We need to look at the difference in approach of the Liberal Party in opposition versus the Labor Party in opposition. The Labor Party's approach to budgeting in opposition was virtually to vote against it without looking at it. I think they voted against six out of seven budgets when they were in opposition during the Carnell years. Six out of seven budgets and Jon Stanhope voted against three out of four. Whether it was a good budget, a bad budget or an indifferent budget, they were going to vote against it because they did not want to support it for whatever reason.

We take a different approach. We only vote against the budget if we believe it is fundamentally flawed. We will always have a critique of a budget, but we will only vote against it where we believe it is so seriously flawed that we cannot in good conscience support it. That is why we are not supporting this budget. It is because it is an irresponsible budget. It is because it leads the people of the ACT into years and years and years of deficits. Years and years and years of deficits and years and years and years in the mountains of debt.

We had Ms Gallagher saying that she has never called it a temporary deficit. I am happy to accept that has never called it a temporary deficit. But she said it is part of a long-term plan. So I said: "Well, what is it then? How do we define it?" Ms Gallagher has now informed us, and she can confirm this when she gets up to speak, given that it is not a temporary deficit, that it is a long-term deficit. It is part of a long-term plan. Long-term deficit under Katy Gallagher and the ACT Labor Party; that is what they are consigning us to. Anyone who believes that it will end with seven years of deficits I think is very much on the optimistic side. We have four years of figures which show deficits. We are told that after seven years in 2015-16, this government expects the budget to be balanced or back into surplus.

**Mrs Dunne:** On heroic assumptions of five per cent growth every year.

**MR SESELJA:** They are heroic assumptions. Of course, we do not know where the economy will be in seven years time. We do not know whether there will be another recession in seven years time and what that might do to revenue. It is worth looking at what the cross-party estimates committee said about the lack of a credible plan to get the budget back into surplus. The report states:

The Committee discussed at length the lack of detail in the Budget papers that made it impossible to clearly identify a plan to achieve the recovery predicted by the ACT Government ... no other detailed plans were presented in the Budget to demonstrate a strategy to return the Budget to surplus ... The committee is concerned at the lack of a clear plan for returning the budget to surplus.

Mr Speaker, these are not my words. These are not the words of Mr Smyth. These are the words of the cross-party committee which was charged with looking at this budget.

As much as the Labor Party can pretend that this is simply a Liberal Party critique, this is a cross-party critique which represents the views of the Liberal Party and the Greens in relation to this budget, and it does call into question the Greens' attitude to this budget in particular.

We have debts and deficits as far as the eye can see, Mr Speaker. The territory's headline operating balance deteriorates further to deficits of \$135 million in 2009-10, \$159 million in 2010-11, \$211 million in 2011-12 and \$205 million in 2012-13. Because of all the massive numbers that we have been hearing about in recent times in the global context, I think we can become a bit immune to the size of these numbers. But when we are talking about a territory which will have a budget at this time of around about \$4 billion annually, racking up deficits cumulative of over \$700 million represents a significant risk to the ACT going forward. It represents a significant risk for the ability of future governments to be able to deliver on the services that are required for the people of the ACT.

These are the numbers that the Treasurer is comfortable with: \$135 million in 2009-10, \$159 million in 2010-11, \$211 million in 2011-12 and \$205 million in 2012-13. It is worth reflecting on what that actually does. In terms of interest payments on the debt, the \$550 million is just the debt over the next few years that we know about. That is roughly \$25 million a year in interest repayments. Now \$25 million a year in interest repayments is about the cost of the new department of environment. That is what we are faced with each and every year under this government's plan. Each and every year we will be saddled with at least \$25 million of interest repayments simply to service the debt. That is just the debt we know about now. *(Second speaking period taken.)*

**Ms Gallagher:** I thought you were not even speaking on this.

**MR SESELJA:** Ms Gallagher said that she thought I was not speaking on it. I do not quite know where she got that idea.

**Ms Gallagher:** You shook your head at me and said that Alistair was going to speak.

**MR SESELJA:** I was going to speak after Alistair Coe. I apologise if it has thrown Ms Gallagher into confusion that I have spoken before Mr Coe. If it is okay with Ms Gallagher, we did make a slight change and I hope that that has not sort of thrown her plans into disarray in responding to all of this.

These are the kind of deficits we will have. Of course, the plan essentially consists of this: in the first year, do nothing. The first-year response to the global financial crisis from Katy is to do nothing. You do get the sense that this budget had a little bit more to do with a smooth path for a new Treasurer who may pass it on to another Treasurer than with actual economic responsibility. It actually had more to do with ensuring that Katy Gallagher did not have to be the bearer of bad news in any way, shape or form.

So the first part is to do nothing. That is the beginning of the plan. Then the second part is to hope that revenue comes back. Of course, the important point to make, and this I think is something that the government has tried certainly to skate over, is that we actually do see revenue increasing significantly. That is the projection that we have been given: revenue to increase significantly in the outyears.

That is the second part; you are hoping that it will increase. But even when it comes back, even when it comes right back, even if these assumptions are 100 per cent correct on revenue and we see the money come back, this government is still planning to be \$200 million in deficit. They will be in a situation where, after roughly 11 years in government, they will have double the revenue they had when they came in. They will have double the revenue and yet with double the revenue, they will still be delivering massive budget deficits.

The Treasurer has constantly said, "It is the global financial crisis and it is the hit on revenue." But at no stage has she explained that in the outyears that is not apparent. In the outyears, we are back to the boom-time best.

**Ms Gallagher:** Because the budget grows. The budget grows over the next seven years.

**MR SESELJA:** Of course it grows. But it is a massive growth.

**Ms Gallagher:** It is not.

**MR SESELJA:** It is a massive growth. It will be almost double. It will have grown by near on 100 per cent from 2001 to the outyears. That is massive growth. That is far larger than economic growth. The size of the budget is far larger than any other part of the economy. That is far larger than CPI; that is far larger than wage price inflation. The budget will have grown significantly. You would expect it to grow, but this is massive growth.

The Treasurer has been claiming that it is all due to factors outside of her control but we have not heard the Treasurer explain why, when she will be planning on getting such massive revenue—almost double what they had in 2001—they would not be able to get the budget balanced. You would think that when the revenue is back you would be able to balance the budget at the very least, yet we still are planning for \$200 million of deficit in that year.

The next part of the plan relates, of course, to unallocated savings. We have unallocated savings, the efficiency dividend and we will find some other savings but we do not know really where. This is the fundamental problem with this so-called plan. Of course, it was not just the Liberal Party who had serious doubts about it. It was the entire estimates committee, having had the Treasurer in front of us and having had all of the ministers in front of us. I think it was after the Treasurer's evidence that the concerns really started to crystallise about the lack of a plan.

We saw some of the projections for revenue growth with no substantiation for those predictions and they are contradicted by some of the other submissions received by the committee. We saw that with the Property Council. The Property Council said:

The government's track record on controlling its spending indicates that greater commitment is required to achieve budget targets ... This record will have to improve if the ACT community is to avoid the burden of crippling taxes and/or prolonged debt.

The council goes on to say:

This leads to the question: what programs and services will have to be cut by the government?

Of course, what they are doing through inaction, through this lack of a plan and through a real failure to look at the areas of wasteful spending is that they are making the comeback harder. They are making the outyears harder. When we see those budgets in future years, we see the serious cuts to services, we see the blow-out in the deficits and we see the moves to increase taxes and to get ACT residents to pay more and more for their services, we will look back to this budget and the lack of a plan and the lack of action and say that this is where it really started.

We can go through the last seven years, of course, where they wasted the absolute boom years. That is the other part of this story. They wasted the boom years. They did not make the structural reforms that were needed. They did not control spending. Their plan and their response to the challenges that we now face is to do nothing for a while, to hope for the best and to point to some unallocated savings that they may or may not be able to find in future years. One thing is certain. There will have to be tough decisions in those years. They can pretend now that that is not going to be the case.

Another thing that is certain is that by not doing anything now those decisions are going to be more savage, those decisions are going to be tougher. The impact on the community will be far harder and far greater than would have been necessary otherwise. We had Chris Faulks from the Canberra Business Council appear before the committee. She said:

Our concerns relate to the magnitude and duration of the forecast budget deficits. It is our view that some quite serious measures will need to be taken to claw back those deficits in future years—that is, beyond 2010. Those concerns are amplified by the fact that the budget does not clearly outline how the ACT government expects to eliminate the deficit by 2015-16.

It is not just us saying it; it is not just the Liberal Party; it is not just the Greens who also agreed with these conclusions in the committee. It is also the Canberra Business Council saying that those concerns are amplified by the fact that the budget does not clearly outline how the ACT government expects to eliminate the deficit by 2015-16. There is, of course, limited detail presented relating to efficiency dividends expected by the ACT government. The committee made a recommendation in relation to that:

The Committee recommends that the ACT Government provide to the Assembly substantiation for its revenue predictions, detailed information regarding efficiency dividend application, and justification for how revenue and expenditure will be reconciled to return the Budget to surplus within the specified seven years.

I do not have the response in front of me, but I think the response was, “Yes, it is all in there.” The committee did not think so, looking at the budget, and the committee

was not convinced about it. Mr Smyth touched on the issue in relation to the changed attitude now to the encouragement of the private sector. There is now a marked shift between the approach of this Treasurer and previous Labor treasurers, in particular Ted Quinlan. He had a very limited record of success but Ted Quinlan actually did believe that it was a good thing to try and encourage private sector growth in the territory.

Will we always be reliant on the commonwealth? Yes, I think the commonwealth will always play a significant role in the ACT and that comes with a lot of positives for the ACT. But do we want to see a thriving private sector that grows, flourishes, creates jobs, creates diversity of opportunity for our children and creates an expansion of our revenue base? I say yes. The opposition says yes. Most commentators, I think, would say yes. Previous Labor treasurers have said yes. This Treasurer says no.

It is a short-sighted attitude to the economy. It is a short-sighted attitude to management of the budget and the economy when we see the kind of attitude that is displayed by the Treasurer. I think that that kind of attitude will not do a lot for business confidence—essentially downplaying the importance of trying to grow the private sector. I think all governments should look to have settings in place that encourage business, that encourage job creation, that encourage diversity of opportunity. This budget fails that test. It fails the test of having a clear and credible plan and that is why it is a budget that we simply cannot support.

**MR COE** (Ginninderra) (5.54): I rise to talk on what really is the pretty sorry state of our budget. Let us look at the operating balance that we have here in the ACT: \$135 million in 2009-10, \$159 million in 2010-11, \$211 million in 2011-12 and \$205 million in 2012-13. We actually heard today what we already knew: we are actually not going to get into surplus until 2015-16. Isn't it funny that that ties into another electoral cycle?

Maybe there is a bit of credibility in what the Treasurer has said, that in actual fact an economic cycle is the same as an electoral cycle. It is very interesting that things start to look rosy around election time again, just like they did last year in September. In spite of Lehman Brothers collapsing in early September, we still had spending announcements, we still had the ignorance from the Treasurer and the government about the world's situation.

However, now they keep recalling how early it struck, how it has been affecting the ACT for the last six months or so and it has brought us into this terrible situation. Yet, at the time when it was all happening, at the time when we were getting all the early indicators, the government did nothing at all.

In contrast, look at Western Australia and at what the coalition government is doing there. In actual fact they are doing things to stimulate the economy, especially in the business sense. They are cutting payroll tax. They are actually creating an incentive for businesses to employ people, not to lay people off. Do we have that kind of initiative here in the ACT? What has the Treasurer put down? What tangible, structural changes has the Treasurer put in place to make it easier to do business in the ACT, to make it better in the ACT to do business?

I even heard today that there are a number of business-in-focus grants, I believe they are called, that are available. They are for a September project. Yet the documentation that is required to obtain one of these \$3,000 grants is something in the vicinity of 30-odd pages; 30-odd pages of forms have to be filled out to actually support this focus grant of \$3,000. You give a business a \$3,000 grant and then say that 20 business hours actually have to be consumed in red tape. It seems a bit over the top to me. I turn to recommendation 19 of the report:

The Committee recommends that the ACT Government instigate a comprehensive approach to the incurring and management of debt in the ACT to facilitate the development of significant community infrastructure.

It concerns me that that is not already in place. It is a real concern that basic recommendations like that have to be made in the estimates report as opposed to being presented by the Treasurer in that committee. It is a real concern. It is a real concern in these troubled times that we have a Treasurer that does not have such basic reports like that, such basic plans like that in place to actually give the ACT and give businesses in the ACT some confidence.

I turn to recommendation 18 on page 23 of the report:

The Committee recommends that the ACT Government immediately commence the development of a policy framework that will provide encouragement for the growth of the private sector in the ACT.

Here we are in 2009, eight years after they came to power, and the estimates committee has to deliver a recommendation like that. I wonder what the estimates committee would have delivered last term had there actually been a bit more scrutiny in that estimates committee by way of actually the Labor Party not having a majority on it. I think we might have found that recommendation 18 might have actually been in place in 2004-05 and in 2005-06 as well.

It is a real concern that we have to recommend to this government that the growth of the private sector in the ACT is actually something for the betterment of our community. As I said earlier, if the government were actually interested in promoting the private sector, surely they would be approaching things like payroll tax. Surely they would be going to things that restrict business growth and lifting those burdens so as to present an opportunity for businesses to actually grow in this time that otherwise is so difficult for them to do.

Recommendation 20 talks about the ACT government demonstration—

*At 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.*

**Sitting suspended from 6 to 7.30 pm.**

**MR COE:** I must admit that I have not delivered a 10-minute speech in an hour and 40 minutes before, so it will be a new experience for me in my short time in this place.

I think I was up to recommendation 20, which reads:

The Committee recommends that the ACT Government demonstrate appropriate responsibility and make the necessary fiscal policy decisions with respect to savings, revenue and associated matters.

As I said earlier, it is amazing that recommendations like this have to be made. It is absolutely amazing that the committee feels that these issues are not being adequately addressed by the government. If the committee has to make recommendations as fundamental as this, it does raise considerable concern, in my mind, about the state of the overall budget and the state of the managers of our economy.

I must admit I did have a bit of a chuckle earlier when I saw the planning minister sitting over there. He had my colleague from Ginninderra sitting with him and a colleague from Brindabella also sitting with him. The Chief Minister and the Treasurer and Deputy Chief Minister were sitting over there. I just wondered what they could have been talking about. I thought that, hopefully, Mr Hargreaves might come down as well and the four of them could have all chatted about the budget, the Treasurer and their future ambition, perhaps, and future plans for the Treasurer. I think they must have had some pretty interesting conversations about the budget, about the appropriations, and I wonder whether that particular faction actually agreed with all the aspects of the budget and the direction of the Labor Party.

I find it interesting to look back at what Mr Corbell, who has been here for some time, has said, particularly on issues like Tidbinbilla nature reserve. What did Mr Corbell say in 1997 about raising fees to go into the nature reserve? What did he say? He said it was a tax, it was a charge and it should have been included in the budget. Isn't that right, Mr Corbell? Didn't you say, in 1997, that it was wrong for Mr Humphries to not include rises in fees to go into the nature reserve in the budget? And what is happening today? Here we have the government pulling a swiftie on the last day of sitting. I think they have actually made a mistake. I have never heard of a tax or a charge being introduced on 1 August. That significant date in the financial calendar—1 August! But that is what is going to happen with respect to Tidbinbilla nature reserve.

**MADAM DEPUTY SPEAKER:** It's the birthday for horses.

**MR COE:** There you go: the birthday for horses.

**Mrs Dunne:** There are a lot of horses at Tidbinbilla.

**MR COE:** I am sure that, in the nature reserve, the horses will have their pride of place there. I do find it interesting to look at the *Hansard* for April or May of 1997 and see what Mr Corbell really thought. That takes me back to what I was saying earlier about the future and about the right faction or the left faction. What happened in cabinet when they were talking about the raising of fees or the reintroduction of fees for the Tidbinbilla nature park? Did Mr Corbell say, "Well, guys, I'm a bit compromised by this because 12 years ago I said something that might contradict what we're saying now"? It will be interesting when, in nine or 10 years time, you can see the cabinet documents and see what Mr Corbell said.

**Mr Barr:** Well, Alistair, if in 12 years time you are ever in government, everything that you have said in your first six months you will deeply regret.

**MR COE:** I think there is a fair chance that I will be here. Whether Mr Hargreaves is still here, or whether Mr Stanhope is here in a year, will be the real question, I think. But there are serious concerns raised in the estimates report, especially in recommendations 19 and 20, which are core issues that the government are not dealing with at the moment. They should be doing it, and it is a shame that the estimates committee had to highlight that.

Debate (on motion by **Mr Corbell**) adjourned to a later hour.

## **Planning, Public Works and Territory and Municipal Services—Standing Committee Reference**

Debate resumed.

**MS LE COUTEUR** (Molonglo) (7:36): I move the following amendment that has been circulated in my name:

Add the following paragraph:

“(3) any other relevant matter.”.

I will speak only very briefly on this. The amendment is quite straightforward. It says “any other relevant matter”. The reason it says this is because there are a few matters which I think will be very relevant to the investigation, such as sustainability and the impact on other parts of Canberra. Given the time constraints that we had, having put it back to talk about it today rather than during the next sitting period, we do not have time for greater elaboration of the terms of reference, so I am sure that “any other relevant matter” will cover whatever the committee needs to talk about.

**MRS DUNNE** (Ginninderra) (7.36): I welcome Ms Le Couteur’s amendment because I think that it does enhance the motion put forward by the minister. The minister, I suppose, is taking policy reform in tiny, little baby steps: “We’ll move it a little bit up Northbourne Avenue.” The Labor Party, for the most part, have come very slowly to the idea of urban infill.

Mr Corbell really should not snicker like that, because he has got form. Most of the urban infill that was being proposed over a long period of time was held up courtesy of Simon Corbell. When he became the planning minister, his policy solution was to come up with the flawed A10 policy, which was roundly criticised by huge cross-sections of the community. There were hundreds of objections, for a variety of reasons, and Mr Corbell said, “We couldn’t possibly take that into consideration because people had a diversity of views.” A four-member committee of this place came up with a unanimous report that the A10 policy was flawed; that the minister should take it back and start again; that he should not look not infill in individual

suburbs but along transport corridors, in group centres and town centres, before he went along with the policy of the flawed A10, of small amounts of low-rise infill in culs-de-sac in individual suburbs.

There was unanimous agreement by a large committee, and one of the members of that committee has just walked in here. What happened was that Mr Corbell did a deal with the Greens. The Greens, who were not on the committee, who did not take time to look at the issues, did a deal with Mr Corbell because he had promised things—and I will give you a word of warning here—which he never delivered afterwards.

He promised things to the Greens, and Ms Tucker stood up here and said, “It’s a pretty flawed policy, but I’ll agree to it because Mr Corbell has committed to the introduction of increased energy efficiency ratings in housing,” which he did not deliver. And he committed to a range of reviews and things, which he did not deliver. It should be a word of warning for the Greens as to just how closely they snuggle up to the Labor Party and do their bidding on the promise of things on the never-never, because they never, never, never come. They never, never, never come, because the Labor Party are not good at keeping their word.

**Mr Hargreaves:** It’s better than being an artillery lieutenant-colonel, where you’re “gunner” do this and you’re “gunner” do that.

**MRS DUNNE:** It is interesting to see how Mr Barr tries to sort of bob and weave—

*Members interjecting—*

**MADAM DEPUTY SPEAKER:** Members! Mr Hargreaves!

**MRS DUNNE:** and somehow give the impression that he is the saviour of urban infill. I would like to draw the house’s attention to the fact that in the 2004 election and in the 2008 election the Liberal Party consistently called for urban development in group centres, town centres and along transport corridors, and we have consistently called for a proper redoing of the Belconnen master plan. I hope that, now that other relevant matters will be incorporated into this motion, we will be able to look at the possibility of urban infill in the Belconnen town centre, which is strongly encouraged and welcomed by the Belconnen Community Council, and has been over many years. They would like to see it happen. There are no offers from this government in delivering effective urban infill into the Belconnen Town Centre.

I cannot conclude without making some comment about the throwaway comment from Mr Corbell about how I attempted to undermine the north Watson development.

**Mr Barr:** I think it was me.

**MRS DUNNE:** Sorry, Mr Barr. Mr Hanson was there, and I will put on the record what actually happened.

At the invitation of residents, I attended a meeting at the Downer Community Council to talk about the Watson development because the planning and environment

committee had just signed off on a report recommending the draft variation to the north Watson site. I was the only member of the planning and environment committee who turned up. I was the only elected member who went who was invited to go. I was the only member who accepted the invitation to turn up and I went, and I represented my position, the position that I took to the planning and environment committee, which produced a unanimous report to vary the territory plan.

**Mr Hargreaves:** I remember somebody here getting sacked as the chair of that committee.

**MADAM DEPUTY SPEAKER:** Mr Hargreaves!

**MRS DUNNE:** At that meeting some of the residents said they wanted to express to the minister their concerns about the north Watson development and, as an elected representative, I undertook to facilitate their representation. They knew that my views were different from theirs, but I undertook to represent their views and take them with me so that they could represent their views to the Minister for Planning. On 3 September, I wrote to him. I sent him an email which said:

Last night I attended a community meeting about the future of North Watson—the Canberry Fair site. It was a very well-attended meeting with some strong views expressed.

As the only elected member at the meeting I undertook to represent to you the views of the meeting. I would like to meet with you as soon as possible to pass on the concerns and desires of the people at the meeting. I suggested that some of the members seeking election in the Molonglo electorate who took the time to attend the meeting might attend with me.

I asked if we could have a meeting. After a bit of backwards and forwards over a couple of weeks, the reply came back:

I am still considering the issues raised in the Planning and Environment Committee report on the draft variation and do not propose to take any further action on the matter before the election ... I would suggest that a meeting early in the term of the next Assembly would be appropriate.

That meant Andrew Barr was too cowardly to meet constituents in the run-up to an election so that they could express to him—

**Mr Barr:** What rubbish!

**MRS DUNNE:** the views that I was prepared to come and listen and hear.

**Mr Barr:** I was at the North Canberra Community Council meeting, Vicki. You weren't there, I was.

**MADAM DEPUTY SPEAKER:** Mr Barr!

**MRS DUNNE:** That was not the meeting, it was a special meeting, a separate meeting, organised by people who were concerned.

**Mr Barr:** Oh, it was a special meeting. Right!

**MRS DUNNE:** Mr Hanson was there.

**Mr Hargreaves:** We know that you didn't get elected for the seat of Molonglo though; he did.

**MRS DUNNE:** And I went because I was asked to attend and I was the only person who had the guts to go there and represent the views and express the views about why I thought it should go ahead.

**Mr Hargreaves:** So where were your candidates for Molonglo then?

**MRS DUNNE:** And since then—Mr Hanson was there. And since then—

**Mr Hargreaves:** You said you were the only one.

**MRS DUNNE:** Mr Barr has consistently twisted and misrepresented the fact—

**Mr Hargreaves:** You can't have it both ways.

**MRS DUNNE:** that I tried to undermine—

**Mr Hargreaves:** You said you were the only one.

**MADAM DEPUTY SPEAKER:** Mr Hargreaves!

**MRS DUNNE:** the north Watson development, which has never been the case. I supported the north Watson—

**Mr Hargreaves:** Madam Deputy Speaker—

**MADAM DEPUTY SPEAKER:** Mrs Dunne has the floor.

**MRS DUNNE:** development in the planning and environment committee, as Ms Porter would attest, because she was a member of the committee. There was a unanimous report to vary the territory plan. There is nothing on the record or anywhere else where Mr Barr's misrepresentation that I have tried to undermine the development at north Watson could in any way be sustained, and it is time he put an end to this misleading attitude.

**Mr Barr:** Very, very sensitive about this.

**MRS DUNNE:** No, I am just sick to death of your lies.

Amendment agreed to.

Motion, as amended, agreed to.

## **Appropriation Bill 2009-2010**

[Cognate paper:

Estimates 2009-2010—Select Committee report—government response]

### **Declaration of urgency**

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (7:45): On behalf of the Treasurer, I move:

That this bill be declared an urgent bill.

The Appropriation Bill 2009-2010 is an urgent bill. It does need to be passed before the Assembly rises at the end of this sitting day. To date we have had just over nine hours of debate on the appropriation bill and we have dealt with five line items. At that rate, this debate will conclude probably some time on Saturday afternoon.

So the government believes it is necessary to proceed to declare this bill urgent. I have circulated to members a schedule which will be dealt with should my declaration of urgency be accepted; that outlines the time periods that the government is proposing be allocated to the remainder of the bill. You will note that the government is proposing that there be 40 minutes of debate on each of the large departmental appropriations and 15 minutes of debate on the smaller agencies and other elements of the appropriation bill. The government does not intend to speak in relation to the smaller agencies, to ensure that there are at least two non-government speakers on those matters.

Madam Deputy Speaker, it is time that we placed some discipline on the timings of debate on this bill. That is why I am proposing the urgency declaration. If the Assembly agrees to this, we will still have at least 17 hours of debate on the budget, which I think is sufficient time for members to get their points across.

**MR SESELJA** (Molonglo—Leader of the Opposition) (7:47): We will not be supporting this motion. First and foremost, it is a return to the view of the Labor Party in this place that they can treat the Assembly as if they were still in majority. I understand that the Greens will be supporting this.

**Ms Gallagher**: That weakens your argument just a little bit.

**MR SESELJA**: If I could have the opportunity to talk to that.

**Mr Hargreaves**: Right—like you give everybody else an opportunity.

**MR SESELJA**: Madam Deputy Speaker, we have a situation where this was simply presented to us this evening at some point. There was no negotiation; we were presented with this. It is the Greens and Labor acting as the Labor Party used to act when it was a majority government in its own right.

We have had a situation where I do not know how many questions on notice were presented this afternoon, but it looked like a lot.

**Mrs Dunne:** About eight inches worth.

**MR SESELJA:** Yes, about eight inches worth of questions on notice that were responded to there. We have had several questions on notice which simply will not be answered—basic questions about the budget where we have had answers from ministers saying, “Until the budget is passed, we can’t tell you what’s in it.” That is absolutely ridiculous. The whole point of asking these questions is to get answers. Indeed, I would have thought the point of the debate is partly also to allow ministers to respond to what has been put in estimates and to what is put in debate. The idea in the document that was circulated saying that people could table their speeches is absolutely ridiculous. How far do we want to move in relation to that?

A point also needs to be made about how much time has been taken up on other issues today.

**Mr Hargreaves:** Yes, the MPI. That is a good one.

**MR SESELJA:** We were not asked not to do an MPI. This is the whole point. There was no discussion about this at the beginning of the week; there was no request. Last year there was a discussion and a request which was acceded to.

We wanted more sitting weeks in this place. We were not successful in getting 16 sitting weeks. The government, once again, have not got their act together. Then, late, they decide that they will limit debate. The effect of that will be that ACT Health gets 40 minutes: we will hear 10 minutes of justification from the health minister and 40 minutes in total on nearly \$1 billion of expenditure. There will be 40 minutes for education. We do not believe that this is the way to go. The fact that this deal has been done to shut it down—

**Ms Gallagher:** You should have thought about that earlier, Zed.

**MR SESELJA:** Sorry? We should have thought about it? Why was there no discussion at the beginning of the week? Why was there no discussion in the business meetings about how to get through this? Why wasn’t this taken into account? We always come up against this. There are more keen speakers this time, because we have a bigger crossbench, yet there was no discussion about it.

Both the Labor Party and the Greens did not agree to have more sitting weeks, which would have allowed some of these things to be dealt with. Now they do not want the scrutiny. They did not want the scrutiny in answering the questions, and now they do not want to have to actually justify a lot of their lines. We will have lines in the budget where we will not hear from the minister responsible. To put it down to 40 minutes for ACT Health, in particular, and 40 minutes for the department of education, is, we believe, grossly inadequate.

When it comes down to it, one of the issues here is the fact that the deal was really done before this budget was presented. It was done between the Labor Party and the Greens. Now the idea is that no, we should not be able to debate it and that any sort of debate is excessive. More than 40 minutes of debate on health and 40 minutes on education is excessive?

We do not believe it is appropriate to declare this urgent. This could have been handled adequately far earlier in the piece rather than simply presenting it just before the dinner break on the final day of debate. They have not done the work; they have not got their act together; they refuse to answer a lot of our questions. And now it appears that ministers are going to be even refusing to speak to a lot of the line items. That is not a debate; that is simply pushing it through in much the same way we used to see from the majority Labor government.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (7.52): I thank Mr Corbell for moving this urgency motion tonight. I know that the Greens have proposed some time limits for each line item.

It is unfortunate that we find ourselves in this position with so much of the budget still to be debated tonight. The Greens have proposed a solution that acknowledges the desire to vote on the budget tonight while providing each party with an opportunity to record their response. If there are further matters to be recorded, I encourage parties to table a paper at the end of the night that incorporates all the speeches that have been prepared that could not be given. It is our intention that when these papers are tabled they are authorised for publication.

I will pick up on Mr Seselja's point that unfortunately we find ourselves at 6 o'clock getting to this point. It would have been great if those more experienced members of the chamber had raised this issue earlier in the week so that we could have come up with an even better solution. The Greens are very keen to talk to both parties before the lead-up to next year's budget so that we can come up with a better plan that will ensure that there is scrutiny and there is time to debate. That is something that we will be keen to talk to other parties about.

**MR SMYTH** (Brindabella) (7.54): It is interesting that there are 26 lines in the budget. I assume that, if we are running off this plan that has been circulated, the government will not respond to half of them—12 out of the 26, almost half of them

**Ms Gallagher**: Yes, because you have taken all our time up—wasting time for two days.

**MR SMYTH**: The Treasurer interjects that we have taken up all their time. We had half an hour in a statement from the Minister for Ageing this afternoon. I do not know about the urgency of that statement. We had all of the members—

**Mr Hargreaves**: We had a full hour of MPI, though.

**MR SMYTH**: The point is that we have often had discussions in the past. If the manager of government business cannot get his act together and come and have a chat with the other party—

**Mr Hargreaves**: Right.

**MR SMYTH**: It is your business we are doing. You are the one that complains. You are the one that complains that on government business day you never get to do any

government business, but you filled the day with three motions that did not have to be done today. We had just about all of the ministers give speeches—

*Members interjecting—*

**MADAM DEPUTY SPEAKER:** Members! Mr Smyth has the floor.

**MR SMYTH:** The suggestion is made that members can table their speeches on the budget. Why couldn't ministers have done that with their tabling speeches with all the papers they presented this afternoon? It is a deliberate ploy; it is a deliberate tactic. You will learn about this. I would have thought that after the second approp, where everything was rushed through and then all the questions came out when we sat here and went through it line by line, you might have learned from that. Obviously you have not.

The problem here is that we are going to devote 40 minutes to Health. You could have come and consulted instead of just delivering the terms and saying, "Here; this is what we're doing." There are things like the home loan portfolio; I would be surprised if it takes 15 minutes. There is superannuation; I would be surprised if it takes 15. There is the territory banking account; I would be surprised if it takes 15 minutes. If you look back at last year and previous years, I think you would find that they did not then either. The problem is that this is so arbitrary. It is just unfortunate that the ministers are afraid to stand up and actually debate. These are debates; debates normally involve interaction—

**Ms Gallagher:** They are not debates, Brendan.

**MR SMYTH:** Then you should improve your technique.

*Members interjecting—*

**MADAM DEPUTY SPEAKER:** Members! Mr Smyth has the floor.

**MR SMYTH:** Madam Deputy Speaker, it is a tradition—a seemingly endless tradition now from the Labor Party—that they do not want a debate on their budget.

**Mr Hargreaves:** For heaven's sake, how many speakers per line?

**MR SMYTH:** We measure up 18 hours a day.

**Mr Stanhope:** Nine hours so far.

**MR SMYTH:** Nine hours a day.

**Mr Stanhope:** Nine hours for five lines.

**MR SMYTH:** Well, we can sit tomorrow. If you want to adjourn, we can adjourn at midnight and we will come back tomorrow and do it; we will finish it properly—if you want to do it in the daylight hours, if that is the problem. I have never had a job

where the job will just stop. With every job I have had, you always work through until it is finished and you attempt to do it properly.

The problem here is that it does not do justice to any of these lines when none of the ministers will respond. Actew Corporation—look at the Actew line. The Actew line in the budget talks about getting water from Tantangara; it talks about the pipeline to Googong; it talks about the upgrade of the Cotter Dam.

**Mr Stanhope:** You support all that.

**MR SMYTH:** But we are going to devote 15 minutes to that—15 minutes for the water security of the ACT. That is all the government thinks it is worth. That is all the Greens think water security is worth.

**Mr Stanhope:** How much is in the budget for that?

**MR SMYTH:** These are important issues. These are issues that should be debated fully. These are issues that ministers should answer for and make the case where questions are asked.

**Mr Stanhope:** How much is in the budget for the Cotter? How much is in the budget for the pipeline?

**MR SMYTH:** You should read it. If you do not know, go and read your document.

**Mr Stanhope:** How much is it?

**MR SMYTH:** I do not know how much is in the line.

**Ms Gallagher:** It is not in there.

**Mr Stanhope:** How much is in the budget? None.

**MR SMYTH:** The Chief Minister says there is no money in the budget for the pipeline. What happens if we go to the Actew line? This is the point. This is a minister who does not know, yet again, what he is talking about. If you go to Actew Corporation—it is on page 437 for those who can be bothered to have a look.

**Mr Stanhope:** Quick, Brendan; you've got 50 seconds.

**MR SMYTH:** And I will use my 50 seconds. If you go to the first page, there is a whole series of figures. Then if you go to the notes, it says:

Included in the budget is capital expenditure for the following water security ... projects:

- . Enlarged Cotter Dam;
- . Murrumbidgee to Googong transfer; and
- . Tantangara transfer.

If you do not know what is in your budget perhaps we should be—

**Mr Stanhope:** How is that hitting the bottom line? That is not hitting the bottom line.

**MR SMYTH:** Are you saying that the budget document is a lie? This is the whole point. I would have thought that you guys would have learnt from the second approp earlier this year that these people cannot be trusted on these issues.

**Mr Stanhope:** Rubbish!

**MR SMYTH:** Are you saying the Treasury's document is wrong?

**Mr Stanhope:** I am saying it is not hitting our bottom line; I am saying it is not a budget item. And it is not.

**MADAM DEPUTY SPEAKER:** Mr Stanhope!

**MR SMYTH:** I am just reading you the highlights. I read your document. So the document lied? The budget is wrong?

**Mr Stanhope:** That is not what it says. Read the page.

**MR SMYTH:** What you just said is that the budget is wrong.

**MADAM DEPUTY SPEAKER:** Order, members! The time has expired; there is only 15 minutes for this debate.

Question put:

That this bill be declared an urgent bill.

The Assembly voted—

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.

### Allotment of time

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (8.01): I move:

That the following times be allotted for consideration of the remaining parts of the Appropriation Bill 2009-2010:

|                                                                           |            |
|---------------------------------------------------------------------------|------------|
| Part 1.7 Treasury                                                         | 15 minutes |
| Part 1.8 Home Loan Portfolio                                              | 15 minutes |
| Part 1.9 Superannuation Provision Account                                 | 15 minutes |
| Part 1.10 Territory Banking Account                                       | 15 minutes |
| Part 1.11 ACT Health                                                      | 40 minutes |
| Part 1.12 Department of Disability, Housing and Community Services        | 40 minutes |
| Part 1.13 Housing ACT                                                     | 40 minutes |
| Part 1.14 Department of Justice and Community Safety                      | 40 minutes |
| Part 1.15 Department of the Environment, Climate Change, Energy and Water | 40 minutes |
| Part 1.16 Department of Education and Training                            | 40 minutes |
| Part 1.17 ACT Planning and Land Authority                                 | 40 minutes |
| Part 1.18 Gambling and Racing Commission                                  | 15 minutes |
| Part 1.19 ACT Insurance Authority                                         | 15 minutes |
| Part 1.20 ACTEW Corporation                                               | 15 minutes |
| Part 1.21 Canberra Institute of Technology                                | 15 minutes |
| Part 1.22 Cultural Facilities Corporation                                 | 15 minutes |
| Part 1.23 ICRC                                                            | 15 minutes |
| Part 1.24 Legal Aid Commission (ACT)                                      | 15 minutes |
| Part 1.25 Public Trustee for the ACT                                      | 15 minutes |
| Total appropriated to Agencies                                            | 15 minutes |
| Part 1.26 Treasurer's Advance                                             | 15 minutes |
| Remainder of the Bill                                                     | 15 minutes |

It is incumbent on me to reply briefly to the assertions made by the opposition. It has been quite clear that it is now a standard Liberal tactic to delay and string out the budget debate so as to put the government in a situation where it has no choice but to try to expedite the passage of the budget. It has been a very clear strategy and that is confirmed by the Liberal Party's response to the proposal tonight which was, "We knew you were going to do this," and that provides them with the opportunity to then accuse the government of trying to gag the debate.

All I would say is that, if you cannot say it in 17 hours, you are not doing your job as an opposition. If you cannot say it in 17 hours, which is how much time you have, you are not doing your job as an opposition. I commend the motion to the Assembly.

**MRS DUNNE** (Ginninderra) (8.02): Some of the times put forward in this motion are entirely disproportionate. The thing is that, as Mr Seselja said, if there had been a rational approach and some leadership from the leader of the house, we could have perhaps come up with a schedule which reflected the amount of the appropriation. In this guise, we have the same amount of time devoted to a \$20 million-odd appropriation in the Department of the Environment, Climate Change, Energy and Water as we do for the department of health with nearly a billion dollars.

If there had been some discussions and some looking back at what happened, you would find that there are a lot of small items, like the home loan portfolio, the territory banking account, that do not take a substantial amount of time. If the manager of government business had really intended to have a proper debate on this, this could have been dealt with last week, two weeks ago. We could have come up

with a timetable, but he did not want to do this. He wanted to get to a situation, sometime on a Thursday night, where he wanted to move the gag.

We knew that this was would happen. It did not matter how fast or how slowly we went, this is where he wanted to get. Mr Coe does remind me that, for the Department of Disability, Housing and Community Services, 40 minutes is devoted to a whole range of things—housing, disability services, care and protection, children and young people, Indigenous, youth policy, multicultural policy; a whole range of things. Forty minutes and it is all over, red rover. This goes to show that there is no care, no concern and no preparedness to look at the issues.

This schedule has been cooked up by somebody; I do not know whom. The only thing that I can say with some pride is that it was not cooked up in the Liberal Party.

**Ms Gallagher:** No, yours is just to filibuster all night. That is your strategy.

**MRS DUNNE:** The Treasurer, the Deputy Chief Minister, does not in fact know what a filibuster is, for a start; and to raise issues that are referred to in the budget, that have been discussed at length and reported on in the estimates report, that have been responded to here, that have been raised in questions without notice and questions on notice and not answered, is our job.

One day the Greens might learn that the job is about scrutinising a budget rather than snuggling up and saying, “Anything you want, tickle me again.” What has been proposed here today shows that the government and their cronies on the crossbench have no sense of proportion about what is important in the budget and how those important matters should be dealt with.

The fact is that large amounts of appropriations, nearly a billion dollars in the case of Health, more than half a billion dollars in the case of Education, are being dealt with in 40 minutes; important areas of community services and provision of services to people requiring government housing, community housing, disability services will be dealt with in 40 minutes, because these people just want to go home to their beds.

**MR RATTENBURY (Molonglo) (8.06):** Mrs Dunne has made some very important points and I would have a little sympathy for them if the members on the Liberal Party bench had actually used the last couple of days to debate some of the substance of the budget. I have seen, having sat in the chair and sat in this chamber for quite a lot of the debate so far, on quite a number of occasions now, members opposite stand up and say, “I do not work on this portfolio, I do not know much about it, but I am going to talk about it for 10 minutes.” It is insulting; it is a waste of time; it is a filibuster; it is a complete joke. And they sit here and seem all indignant about our suddenly saying there is not enough time left. Some of the crap that I have seen come out in this debate in the last three days is simply embarrassing.

**MADAM DEPUTY SPEAKER:** Order, members! Mr Rattenbury, I would like you to withdraw that.

**MR RATTENBURY:** Madam Deputy Speaker, I withdraw that. I am sorry, I got a little animated there. But it is a sense of frustration at the way some of the debate

has been carried on in the last few days. I think next year we really need to have a think about how we are going to put this debate together so that there is time for people to express serious concerns about line items of the budget but not necessarily have a rave about every bit of history for the last 20 years of this Assembly.

Question put:

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

The Assembly voted—

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.

### Detail stage

Debate resumed.

Schedule 1—Appropriations.

Proposed expenditure—Part 1.7—Department of Treasury, \$42,496,000 (net cost of outputs), \$33,094,000 (capital injection) and \$33,472,000 (payments on behalf of the territory), totalling \$109,062,000.

**MS GALLAGHER** (Molonglo—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (8.09): I thank members for their contributions to the appropriation bill debate regarding the Department of Treasury. This budget delivers targeted investments in the community; it maintains services; and it delivers on key election commitments. It is a prudent budget that rises to the challenges of the time.

This is a budget that recognises that temporary deficits are necessary to support economic growth; it is not a time for massive cuts to our services or increasing the financial burden on our community. This is a budget that supports jobs. It is a plan for the future. It provides for new spending initiatives with an average spend of \$49 million. We are meeting the challenges that these demanding financial and economic times are placing on us and we are doing so in a measured and deliberate manner.

This is a budget with a plan that will return our net operating balance to surplus by 2015-16, a plan that is well articulated and demonstrates our commitment to working with the community. And this is a budget that makes unprecedented investments in the territory's infrastructure, in our roads, our health system, our parks and open spaces, our community centres, our environment and our education system—record capital investment to support jobs and increase the productive capacity of our economy in the longer term.

The government is pleased that Mr Tony Harris, the independent expert commissioned by the Select Committee on Estimates to review the 2009-10 budget, has recognised and endorsed the strength of the territory's financial position, the adequacy and transparency of financial information and the context in which this budget was formulated, the integrity of the budget estimates and the government's record of financial discipline.

Most importantly, Mr Harris, through his analysis and advice, provided a golden opportunity for the estimates committee to engage in meaningful and thoughtful discussion on the strategic, financial and economic issues facing the territory. However, as we know now, the committee failed that test of leadership and instead opted for political opportunism.

We are committed to return the budget to surplus by 2015-16; we are committed to taking the time to consult with the community and with our workforce; and we are committed to a meaningful dialogue over the coming months. Our plan does include some tough decisions. We will need to find prudent savings and identify further opportunities to become more efficient in the way government uses its resources. We will do this in a responsible and well-thought-out manner. We will implement the first tranche of these efficiencies as part of the 2010-11 budget.

The 2009-10 budget is right for the time. It puts the community first by not only maintaining our important services but by making substantial investments in those services and our essential infrastructure. The budget looks to the future and clearly states the government's intention of returning to surplus.

This government has a proven track record of strong financial management and leadership. You only have to read some of Mr Harris's reports to the estimates committee to see that. We have shown that we can take the tough decisions in the broader interests of the community, and you only have to read the 2009 budget to see that.

I thank members for their comments and, in the interests of time, I will leave my comments there.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.8—Home Loan Portfolio—nil.

**MR SMYTH** (Brindabella) (8.13): The home loan portfolio is, of course, a hold-over from the commonwealth days when funds were forwarded to folks so that they could

afford to move to the ACT and to induce them to come to the ACT. We are currently in the run-down phase, and the run-down of the current loans appears to be proceeding satisfactorily. The process, we were told during the inquiry by the estimates committee, will be left to run its course and this is, I guess, because of the very favourable interest rate of 4.5 per cent applying to this debt to the commonwealth. All of the loans will be repaid by 2039-40.

Arrears are always an issue with this agency. I thank the Treasurer for the answer to my question on notice on this matter. At the end of April this year, only 41 out of the remaining 230 loans were in arrears. This appears to be a manageable proportion of the overall loan portfolio. And that is the problem now. That is all I have to say on this portfolio.

There are a number of lines where this will now be the case and a little bit of courtesy would have been appreciated because there are a very big number of short-line items in this budget, but now we have limited ourselves to enormous moneys to be expended on things like Health and Education, with a very short time to expend them.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (8.14): The estimates committee were advised that 17 per cent of the 230 to 240 loans were in arrears and this figure does not include clients on the deferred assistance scheme who are meeting their repayments under other arrangements. We understand the government is working on a scheme, as part of its election commitment, to establish a mortgage relief fund to provide short-term loan assistance for owner-occupiers facing mortgage stress and possible repossession of their homes. A discussion paper has been distributed and feedback will be considered when deciding the scheme. We look forward to seeing the outcome of that feedback.

Like the estimates committee, we are concerned that there is not enough being done for tenants who are residing in rental accommodation where the landlord is facing foreclosure on a mortgage, thereby leading to the termination of the tenant's lease. This issue does need further consideration as the government's response that tenants caught in this situation can rely on crisis accommodation or public and community housing is inadequate. We know the turn-away rates in crisis accommodation are high and the waiting lists for public and community housing are very long. Therefore, that is not a timely response to tenants who get caught in this situation.

The ACT Greens support the nil appropriation for this line but need to see clear action taken to address these particular concerns that I have just outlined.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.9—Superannuation Provision Account, \$137,107,000 (capital injection) and \$5,221,000 (payments on behalf of the territory), totalling \$142,328,000.

**MR SMYTH** (Brindabella) (8.16): The asset base of the superannuation provision account, the SPA, has been savaged by the global economic meltdown, along with the asset base of all other superannuation funds, as well as the asset base of many

companies and other entities. As at the end of June 2009, the estimated net liability for superannuation for the ACT government will be \$2 billion. This contrasts with an estimated liability of \$1.1 billion as of 30 June 2008. On this basis, the superannuation liability will be funded to the extent of 47 per cent as of June 2009 and that is a significant reduction from the previous estimate of funding of 63 per cent that was made in the 2008 budget.

The critical issue for managing the SPA is to continue substantial annual capital injections from the ACT government and to ensure that the asset allocation is such that the optimum return on these assets is achieved over the long term, say, over 10 years or so, so the net liability is reduced and indeed eliminated by 2030. I note that the capital injection for 2009-10 is estimated to be \$137 million. The actual outcome for the next financial year will depend on the way in which the global financial markets perform and, after the horrible year that was 2008-09, the budget estimate of the income from the SPA's asset will be around \$139 million.

With economic commentators now saying that the economic recovery may be longer than first thought, this may be optimistic, although the nature of the asset disposition is that the revenue from dividends and interest should remain quite strong. I commend those who are managing the SPA in these challenging times and wish them well in their endeavours.

**MS LE COUTEUR** (Molonglo) (8.18): As Mr Smyth has said, the situation is that the government's superannuation liabilities are now funded at only 46 per cent, down from 65 per cent a year ago. We are all aware of the impact of the global financial crisis on superannuation and the ACT of course has been involved in this. We note that at this stage the government has not yet adjusted the strategy with respect to investments and is reviewing this and will report back to budget cabinet to decide on the course of action.

We wish that they would do that soon. We wish that, when they do that, they take into account a bit more clearly ethical issues as well as financial issues. On that note—and we spoke about this a fair bit in the estimates deliberation—one of the things that Mr McAuliffe said, which amazed me, was, “If we were to put into place a screen in place of our portfolio to take away anything to do with armaments, you would screen out just about the entire portfolio.”

There are two possibilities here: either we are incredibly badly invested, if we are invested entirely in companies which have at least part of their business in armaments or, what I suspect is the case, the ACT government actually does not know what it has invested in. That is also a bit of a worrying implication, because it is my contention and the Greens' contention—and I will say in this place that it could be regarded that I have a conflict of interest in this regard; I used to work for a company called Australian Ethical Investment and I am still a shareholder in it, but I would strongly say—that what we do with our money does make a difference.

The government puts a lot of effort into spending money, spending the \$3.7 billion of this budget, to do what it regards as good things, following its values. My contention would be the values are also important as far as what it does with its investments. We

have already had discussions over a couple of years about this and it appears that the ACT government has invested in, as we mentioned, armaments, tobacco. These are all climate-change producing organisations whose activities will be adding to climate change.

These are all things which the government is putting energy and money towards reducing; so it seems a little silly, on one hand, trying to address problems like smoking and, on the other hand, putting your money there. But I take it that the government is clear that it is not going to take a values-based approach to this. It has been very clear about that.

But I would say that, even given the approach that it is taking, a risk-based approach, where it is looking at the risks associated with all the various issues with the portfolio, I do not think it is taking a very thorough approach. I would suggest that the government maybe look at the approach that the insurance companies, for instance, are taking, where, for about the last 15 years, all the major insurance companies in Australia and the world have been saying, "Climate change is a major problem, we need to do a lot more about it."

It is a question of balance and we think that the government has not put enough balance on the risks, particularly on the non-financial risks. The government needs to look more clearly at this. Again, I go back to the evidence given to the estimates committee. Mr McAuliffe was asked, "Would applying PRI to our current strategy, going back, have changed things?" They said, "This is an exercise you can actually do." Basically they were saying that what they have done has not changed anything; it has not changed how they have invested; it has not changed how they have voted; and it may or may not have led to some questions being asked of the various companies they invest in.

I do not think that is really good enough. It is an important issue and we would like to see the government at least seriously act on their risk-based approach. Look at the risks; look all at the risks; and take a good look at our investments.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.10—Territory Banking Account, \$214,000 (capital injection) and \$10,671,000 (payments on behalf of the territory), totalling \$10,885,000.

**MR SMYTH** (Brindabella) (8.24): Mr Speaker, there is little one can say about the territory banking account. This is not to diminish the importance of this agency, but it is a reflection of what it is. It is a bank account. It has no staff. It is simply an account and I think that limits the matters that can be mentioned about it. I would note that, in line with the dramatic reduction in revenue flowing into the ACT coffers, the estimated balance in the territory banking account will fall from around \$630 million as at 30 June 2009 to \$152 million as at 30 June 2010. It then continues to decline to \$122 million and then \$96 million before its plan to recover in the 2012-13 financial year to \$177 million. The balance has clearly remained relatively low throughout the outyears and I suspect there would be some doubt on the 30 June 2013 number.

This again reflects the consequences of the global economic slowdown and the time that any recovery will take to restore the revenue flows. I also note that there will be a strategic review of the territory banking account investment portfolio—I think that builds on some of what Ms Le Couteur was just speaking about—and that a value adding investment strategy will be implemented for the TBA. We look forward to considering these matters in due course. Of course, members need to know that during the hearings, when we were talking about the potential purchase of the Calvary hospital, the Treasurer and health minister said that the purchase would come from cash. This is the account that it will come from. Of course, there will need to be constant scrutiny that reserves remain available for the territory should they be required.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (8.26): In estimates committee hearings there was considerable discussion about the territory banking account and the impact of the drop in federal funding. We are all well aware that overall there has been a reduction in returns for this financial year due to the lowering of Reserve Bank interest rates, the poor return on investments and the volatility of the credit markets. It is how we now address these challenges and closely monitor and respond to fluctuations in the financial markets that will determine if, as the Treasurer hopes, we improve financial returns.

The estimates committee has recommended the ACT government demonstrate appropriate responsibility and make the necessary fiscal policy decisions with respect to savings, revenue and associated matters. My concern, Mr Speaker, is that the government response to this call to action is basically that they say: “It is okay. We have a budget plan. It is appropriate for the current circumstances.” In the government’s response to the estimates committee they noted:

The Government has published a Budget Plan that incorporates a fiscally, economically and socially responsible approach to returning the Territory’s budget to surplus. The Plan is appropriate for the current circumstances.

In the budget plan we note that the government has committed to engaging the community in a conversation on the specific measures to achieve the targets under the plan. Also in the implementation approach section of the plan there are plans to establish an expenditure review and evaluation committee reporting to the budget committee of cabinet. Implementation plans from each agency and submissions from government employees will be considered as part of this process. It is important that as part of this budget plan the government engage in consultation with consumers and organisations that deliver services on the best ways of introducing measures and producing savings aimed at returning the budget to surplus.

It is also vital that this process start immediately and any new measures be considered by the government, and the Assembly as required, if we are to introduce changes aimed at improving our budget position in the 2010-11 budget. Of course, I asked a question on this today and I got a guarantee from the Treasurer that some of this work is already underway. A paper will be out there for consultation and it is going to be done in a timely way so that the outcome will be incorporated into the 2010-11 budget.

We now have a good understanding of the threats that the lowering of Reserve Bank interest rates, poor returns on investments and the volatility of credits markets have on our financial investments. One of the first steps needs to be a review of our investment portfolio to see how changes to investments could be made to improve the rate of return we are currently receiving.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.11—ACT Health, \$748,692,000 (net cost of outputs), \$117,309,000 (capital injection) and \$7,102,000 (payments on behalf of the territory), totalling \$873,103,000.

**MR HANSON** (Molonglo) (8:29): It is certainly a lot of money, isn't it? Members, I think we are all concerned that, in terms of what Health delivers to our community, this is one of the most important, if not the most important, areas to discuss. When we look at the state of the health system and what this appropriation will provide, we have to put it in the context of where we sit in terms of health in the ACT. I note that the ACT public health services quarterly performance report has been released today. I have taken the opportunity to review the document and examine how we are tracking, positively and negatively. As is normally the case, there are some trends upwards and downwards.

There are no trends that in the brief review that I have given would suggest that there is a significant turnaround in any of the aspects that we are looking at, but there are some points that we should be worrying about. Indeed, it is the same old theme in many regards. In the emergency departments we see that fewer people are now being treated in category 3 within prescribed times and the times are getting worse for those in category 4. Only 50 per cent of people are being seen within the prescribed times of 30 minutes and 60 minutes respectively. So there is a decline there. Unfortunately, we have also seen a decline for people in category 5.

We are still not meeting our targets in terms of access block. The particularly worrying aspect of that is in relation to those aged over 75. I worry about the fact that there is a decline in that category, and I understand that ACT Health is taking measures to try and address the issue. A point in this report that is of particular concern to me relates to mental health clients. I note that we have money in the budget; I think we are up to about 7.7 per cent in this appropriation. We are aiming at a target of 12 per cent, but we note that that remains an aspiration. We have not yet seen a plan from the government in this appropriation or in the plans forward as to how we are going to move from that percentage figure of 7.7 to 12 per cent. What we see here is that for emergency departments, access block and mental health clients the situation is getting worse.

There are some other mental health statistics in the report which I think are also cause for concern. There are some worrying trends in radiotherapy and breast screening rates. The number of people taking up those services is declining in percentage terms. With a very fresh view of what is occurring, nothing in this report gives us confidence that the worrying trends that we see in those key areas are actually moving

significantly. I notice that a little while ago the minister said in the media that we now need another 148 GPs in Canberra. When she speaks I would be interested to hear where that figure comes from. It is the first I have heard of it.

**Ms Gallagher:** The ROGS data.

**MR HANSON:** Thank you. I am not across the background to that. I genuinely would be interested in seeing how the figure that we have been talking about previously as being in the 60 to 70 band—

**Ms Gallagher:** It is full time.

**MR HANSON:** Full-time equivalent, is it?

**Ms Gallagher:** It is 60 full-time equivalents.

**MR HANSON:** Maybe we can discuss that offline, minister. Whatever that figure is, I think there is a broad understanding that there is a real concern when it comes to the number of GPs that we need. These figures are often difficult to take into consideration. What we do know is that we are spending an enormous amount of money and have been for many years—in actual fact, more than any jurisdiction other than the Northern Territory. For what is the healthiest jurisdiction in terms of many health outcomes—and we are certainly one of the younger jurisdictions—there are some very worrying trends. With the ageing population that we have I guess what we are looking for in this budget is the key that tells us how we are going to cope with those trends in the future. I note that there is a significant amount of expenditure. I have welcomed a number of the lines of funding that are coming through, but what escapes me and others at the moment is a coherent plan that shows us how we are going to get out of the hole that we find ourselves in.

In many of the strategic indicators that we look at there are some short-term goals, which incrementally may move things one or two per cent, and then there are some long-term goals of where we want to hit, but there is nothing that really shows us when and how we are going to achieve those longer term goals. When are we going to get out of the hole? The problem I have, and I think it is a problem that the minister shares—and I am not saying this is something that is going to be a quick fix overnight—is that we find ourselves in a bit of a hole across a number of categories. There is no question of that. We have been spending a lot of money in these areas for a number of years now and we continue to do so. We are not seeing movement in these trends in any significant amount that gives us the assurance that when this tsunami of the ageing population comes we are going to be able to deal with it. If all we are seeing at the moment is very incremental improvement up and down—the figures seem to be reasonably static—and the trends worsen, what do we do? As we have seen, we are spending \$800-plus million at the moment. What is the figure that we are going to need to spend in the future, not only to get us out of the hole that we are in but to deal with that tsunami that is coming in? What I have not seen in the budget or the strategy forward is that plan.

Turning to the specifics within the budget and just moving through my speech—I have been adlibbing a bit—there is \$12.2 million over four years for the provision of

GPs. We certainly welcome that. There has been a lot of debate in and outside the Assembly about GPs and I welcome the funding that has come forward. How much that is, though, in terms of 148 GPs and how far that goes to get us out of the hole is not actually clear. It is very unclear to me what is going to be delivered out of that \$12 million. I understand what the programs are, but I found that the press release that was put out—and Ms Gallagher may like to clarify this—states:

There's no point in investing this money in this area in primary health care if we're not actually going to deliver any results, either to make GPs lives easier or train the next generation of GPs.

The line that is put in the press release and the way that it is framed in the ABC report suggests that she is not confident that this is going to deliver the results she wants to see. I think the quote is “see how this money will be spent”. I would have thought that if we are to come up with a serious proposition to address the GP shortage in the ACT and invest that sort of money—which suggests that we are going to have ongoing funding of a similar amount or perhaps more—we would have a very clear strategy of exactly where that money is being spent, what it will address, what it will target and what outcomes we can expect to achieve out of it.

An aspect that I have raised before in various other forums concerns the line of funding for GPs. I understand the complexities when there is private sector, federal government and ACT government funding, but what seems to be lacking is a coherent strategy to draw those lines of funding together, to understand what that means in terms of how it will address the GP shortage in the ACT. I would have thought that that modelling and analysis would have been done before we committed that funding in the appropriation bill. I hope that we can soon get an explanation of what it means.

I turn now to the rollovers in the budget—\$57.8 million in rollovers. This is the capital asset development plan that is, I guess, part of the government's hope to get us out of the black hole that we are in and the tsunami that we are facing. It gives me great cause for concern that at the first step, I suppose, we find ourselves \$57 million behind the eightball. Just recently we have seen the issue with the car park and what has happened there. We have seen the first step of that plan double in cost, delayed by a year, and then called in. We know that we have about \$1 billion to spend. It worries me that that is the first taste of what is to come. Let us keep an eye on that. (*Second speaking period taken.*) If we are going to do what we need to do with that \$1 billion then we need to see a more coherent strategy from the government and better processes in place rather than a panicked response, as we have seen with the car park.

Turning to Calvary, I appreciate that it is not in the appropriation, but there has been much debate around it. It is relevant because much of what we are talking about in the future in terms of the money that we are investing now on the capital asset development plan and on other aspects of our Health portfolio has to be part of a coherent strategy for the future. Something that is lacking somewhat is an understanding of exactly what that \$1 billion is being spent on and what things are going to look like once we have spent that money. Without that understanding, committing close to a \$1 billion year after year becomes problematic when we are being asked basically to sign up to it.

When we look at the plan for Calvary—and we do not know exactly how much that is—we ask: what is the Calvary precinct going to look like in 10 years time? How are our aged care and things like Clare Holland House all going to work? That is what is lacking. That is what we are not being shown. Basically we are calling for the plan to be presented and to be told: “This is our coherent strategy. This is the plan. This is what you are investing in. This is why we are asking you to sign off on close to \$1 billion, because this is what it is going to look like in that period.” I urge the minister to bring forward something like that.

When you are just asked to sign off on a plan year after year—I appreciate that the budget does show four years—there just is not the clarity in it that gives us confidence. When you are talking about vast amounts of money, you really have to have that plan for the future. This is why we have been rigorously pursuing these issues. I appreciate that the debate does get lively in here and allegations and counter-allegations are thrown across the floor, but we are talking about enormous amounts of money. We are talking about our future health system. I think it behoves us as an opposition to make sure that we get to the bottom of how that money is being spent, to make sure that every dollar we spend is being spent as efficiently as it can be.

The budget contains a one per cent efficiency dividend which is coming in not this year but in the three years following the budget. I look forward to seeing the detail. It is actually 19-point-something million dollars, but that is divided in the three years. It is about \$7 million a year in the three outyears. We do not have guidance on where that is being targeted at the moment. We have an assurance from the minister that that will not affect front-line services. Obviously we will need to watch that to make sure that that is the case because whenever you try to spend money and save it at the same time it causes some issues. I note that some \$122 million needs to be saved across various portfolios as a result of the federal budget and the response to that. I anticipate if there are any cuts in Health, if the one per cent is all we can squeeze, that does not affect front-line services. Therefore if some of that is important to Health, obviously it will start to cut services. I will keep my eye on that one. Just to confirm that, I quote:

I think it would be difficult to find savings in addition to that. I think one per cent is a fair thing to ask of Health. I think, in addition, it would be difficult to deliver savings that did not impact on front-line services.

That is something that we will keep an eye on. Another issue in terms of the savings concerns wage restraint. We know that we are struggling—we just talked about GPs—and our other front-line services are under pressure as well. There is enormous pressure on our nurses and other health professionals and, indeed, our administrative staff. In the ACT we are very lucky in that we are not facing some of the employment concerns that other jurisdictions have. My concern is we are all competing in a market together in Australia. We are getting nurses and other health professionals from overseas. If we do impose wage restraint—and I am not suggesting that we should not—we must make sure that, as we do that, we do not disable ourselves in the longer term. I saw this in the military when short-term requirements through budgetary pressures often meant that various trades were squeezed and cut when wage restraint was imposed. The implication of that was that it cost you far more in the long term.

When you lose staff in the short term what happens is that, as you try to catch up—as we are now—in terms of retention, recruitment and training, you spend a lot more in the long term. We just need to see what that wage restraint actually means.

I now move on to the cost of health. There has been a six per cent commitment from the government to health expenditure. That is certainly welcomed. Health expenditure seems to be going up every year. It seems to be tracking at about nine per cent at the moment. There is a delta between the amount put forward by the ACT government—and that delta, as I understand it, is basically filled up by various grants and other programs supplied by the federal government. We are a little bit dependent and it is obviously an area of concern that needs to be addressed so that, as we plan for our long-term health requirements, we have a guaranteed line of funding. I am not sure how we do that, but certainly it is an area that we need to consider for the future.

The budget puts some emphasis on primary and preventive health care and contains some lines of funding, but there are some lines in and lines out so that the net amount is not significant. I urge the government to consider more in the areas of prevention, early intervention and detection. There are some worrying statistics emerging from the AIHW that we saw recently, and I quote:

... the concept of an available bed is also becoming less important, particularly in the light of increasing same-day hospitalisations and the provision of hospital-in-the-home care.

I know that the government has some provision for hospital-in-the-home and has allocated some money. It is a scheme that I think is worthy. There are some other schemes that the government put in, such as step up, step down, which are also worthy. I would like to see further consideration of this area and a trend away from what we see now, which are massive amounts of money and focus being put into capital infrastructure. We need to look at more innovative ways of delivering health care in the community. We need to make sure that the tertiary end is not where we are delivering all of our health. It is not the best area; it is not the safest area in terms of infections and so on. It is not the best from a therapeutic point of view and it is also significantly more expensive.

Ninety million dollars has been allocated for e-health. There is a need for e-health and I welcome e-health funding. We need to make sure that we are ahead of the game. To be honest, I have not yet seen the detail of how that money is going to be spent; it has not been given to us. Is \$90 million the right amount? We will have to see. I would not want more money being spent than necessary, but if we can demonstrate that that would provide the efficiencies in our health care we welcome it. But we wait to see the detail on how that will be rolled out. We will keep a particular focus on that.

Mental health funding, as I alluded to before, is about 7.7 per cent, but we know that we need to start spending more on mental health. At the moment we have an aspirational target of 12 per cent but no plan of how we are going to get there. Something that we need to address is this: when you have an aspirational target you also need to have a plan of how you are going to get to that target, otherwise it really does not mean anything. If we are just told, “Yes, we’d like to get there some time in the future,” it does not give us what we need.

The theme really is that there is a lot more detail to examine. We are spending a lot of money. Some of it is welcomed. Some of it we feel is not well targeted. There is some detail missing. There is a bit of wait and see here in terms of how some of that money will be rolled out for e-health and other programs and there is some wait and see in terms of how the cuts will be made and how they will be put forward. In the 20 seconds I have left I would again, as I did the other day when we were talking about swine flu, commend our health administrative personnel, front-line doctors and nurses and so on for the work they are doing. Regardless of the difference of opinion across the floor, I am sure we all—and the Greens as well—welcome the work that they are doing.

**MS BRESNAN** (Brindabella) (8.49): In debating the health budget today for any and all of its imperfections, the Greens recognise that the ACT population enjoy levels of health and wellbeing that are amongst the best in the country and probably amongst the best in the world. We are privileged to live in a society that enjoys high education levels, high rates of employment and income, and low mortality rates.

The healthcare services provided by the ACT and Australian governments are reflective of the society in which we live and for that we must be thankful. But things do change with time and if we are to continue to enjoy high standards of health we must be prepared to respond to the challenges before us. For example, with high life expectancies come high rates of chronic disease, and with increased technological capabilities come high costs. It is true that the demand on the health budget is growing rapidly and cannot be sustained nor met in full.

Appreciating that it is not possible for the government to be the fountain of all wisdom, I hope that in responding to the future challenges of ageing, chronic disease and staff shortages the ACT Government is willing to work with the variety of expert bodies that can provide a diverse range of remedies and solutions.

This budget has invested significantly in the bricks and mortar of healthcare and the technological infrastructure to develop and maintain a high-quality, responsive acute sector. However, to see the best of acute infrastructure within a resource-stretched system, the Greens believe more resources are needed to maintain wellness to reduce the need to access these acute services. We must also remember that investment in healthcare services does not just require investment in machines and buildings; it also requires investment in people, both consumers and staff. For example, providing enough funding so that healthcare staff can provide adequate one on one time to a consumer can be incredibly productive. And, if this one on one time comes early enough in the picture, we can prevent a disease or illness from turning into an acute episode that would be more costly.

Given staff shortages, we can also do more to make sure we retain our staff. The negotiation of workplace agreements for our doctors and nurses is a difficult task but the government may have room for improvement. A common thread in discussions I have had with professional healthcare staff associations is not wage increases specifically but the desire to be respected and have their needs understood. Issues that have been raised with me specifically include allowing some doctors to choose their

representative union body and recognising that more mature nurses are not physically able to do night shifts on a frequent basis. Staff do not necessarily need more money; they need some flexibility and respect.

Recommendation 57 from the estimates committee report asked how the ACT government allocation of \$12 million over four years for GP workforce initiatives would improve GP numbers. The government response to this recommendation does seem to indicate that the initiatives will not so much increase numbers as try to maintain the status quo. It may be the case that, given federal funding schemes for GPs, the best the ACT government can do is to try and maintain those numbers. We are expecting to see a big increase in GP numbers in the coming years as the flowthrough of an increase in medical students comes on line. But, even then, the ACT may not have enough GPs.

There is much to be said for creating more tiers in our health professional system. Small practices in rural and regional areas have been doing this for some time and perhaps it is something we could learn from them. I note ACT Health has just released its GP discussion paper and that submissions close on 31 July. The contents and points raised look good and I look forward to hearing about the submissions and seeing some of this feed into the committee inquiry into primary healthcare.

While engaging in this issue with the public and coming up with recommendations, we also need to recognise the work coming out of the National Health and Hospitals Reform Commission, as this commission may have a much greater impact on the primary healthcare sector than we at the Legislative Assembly level can have.

In regard to the proposed purchase of Calvary, the Greens believe it is better to have public health facilities under public ownership and we support the government's proposed purchase of Calvary. We appreciate the difficult situation in which the government is placed in regard to consultations, as the Little Company of Mary did ask the ACT government to keep the sale under wraps for the time being. But, given that the information is now out there, perhaps it is better to start consulting with consumers of Calvary services and staff about Calvary's future, and by doing so we can ease any concerns they may have.

The upcoming debate about efficiencies will also be a testing time for the government. Within health, around \$6 million per annum will have to be earmarked for savings. I would expect consultation to start occurring shortly with both staff and consumer representatives. I appreciate that not everybody's wishes will be able to be met; there is just not enough money for that.

There is a line that we cannot cross and that is the community sector line. Community health organisations are already running on the tightest of funds, being asked to do more with less as demand goes up and serving the most vulnerable people in our society. The Minister for Health has not made it clear whether or not community health organisations will be included in the efficiencies drive but she did say during the estimates that "we have to be considerate of our expectations of community organisations as we roll out the indexation arrangements". From that, I take the impression that for the financial year 2009-10 the government will still hold

community organisations to their contractual requirements but be considerate of the less than expected funding arrangements if they are not able to meet all requirements. I do hope that the debate to come about efficiencies is a fair one and does not impact on the most vulnerable in the ACT, for public services are an important tool to address social inequities.

Significant funding is allocated in the budget to the development of e-health capacity and infrastructure. This is a major development for both the ACT and Australia and will facilitate greater opportunities to provide consumers with more informed service providers. I expect we as an Assembly will consider the e-health proposals under much scrutiny in coming years, as both privacy and accuracy of records are key concerns for consumers and health professionals.

The Greens support the home and community care program funding and are pleased that a triennial plan has been signed off by the ACT and Australian governments. My hope for the future is that funding under this program, most especially for growth funds and indexation, can be paid to non-government organisations in a timely manner. One would expect the funds to be provided in the first quarter of the financial year and not the last. I would urge the minister to consider paying out a proportion of the ACT component of indexation if the time frame cannot be met.

Just briefly in relation to mental health, the Greens were pleased that two of the budget items were from those which were allocated in the Greens-Labor parliamentary agreement; in particular, mental health training for emergency workers and teachers. That is very important as that is often where presentations of mental health problems can first occur and if they can be identified then it does benefit consumers in that case. The second is the fifty-fifty allocation of mental health growth money between ACT government services and community services.

I know that the government has been very critical of the number of questions we put on notice, but with relation to mental health we were able to get some very useful data. We held a mental health consultation last week and the consumers, carers and service providers present at that consultation were very pleased to see that information because, compared to the national mental health report of 2007, the data we were able to get was much more up to date and it has been very useful for us and for them.

This data also showed that we have some way to go to reach the goal of 12 per cent in the health budget for mental health. I just reiterate that that 12 per cent reflects the burden of disease in the community associated with mental illness. It is a goal that has been reached in New Zealand and that is being worked towards in Victoria. One way they have been able to achieve that is by taking a more cross-government approach to mental health. If we took a more cross-government approach to mental health funding, I think we would see ourselves much closer towards that 12 per cent goal.

Similarly, with the 30 per cent goal of mental health funding to the community sector, I would like to see more movement towards that. The Greens will be releasing a policy paper very soon which will look at how we can work with consumers and carers to reach that goal, because we do believe it is achievable.

**MS GALLAGHER** (Molonglo—Treasurer, Minister for Health, Minister for Community Services and Minister for Women) (8.59): I welcome the opportunity to speak to this very important line item in the budget. This budget for health, the 2009-10 budget, really kicks off our redevelopment of the public health system here in the territory. Not only does it maintain funding for important services and growth in services that we have been seeing, such as mental health, acute care and critical care capacity, elective surgery and cancer as pretty standard items very year in the health budget; it also goes on to provide new initiative funding, for the first time, in areas such as the GP workforce and our medical retrieval services, which have not previously been funded through the health line.

The new initiatives are important initiatives. They are part of our reshaping of the public health system to focus on keeping people out of hospital. That is an increased focus on the primary care areas, so integrated prevention for chronic disease, the health workforce redevelopment, the GP workforce initiatives and the preventative health program work very well there. But it also goes to issues such as the walk-in centre, a new model of care previously not provided to deal with some of the demand we have seen presenting to our hospitals; and the procurement and installation of a PET scanner, for the first time for the ACT.

I do not think I have heard other people talk about that but I have certainly received a number of representations over the years for Canberra to progress to the level where we have our own PET scanner. We have been working with the commonwealth for approval on that project and I am really pleased, as someone who has had fairly close personal and professional contact with our cancer services here in the ACT, that for the first time we will be able to get a PET scanner here for the people of the ACT and reduce that need to travel interstate.

So this budget does a number of things. It deals with the growth in demand and, as Mr Hanson pointed out, the latest quarterly performance report shows that we have seen in the first nine months of 2008-09 continued demand for our in-patient services, growing seven per cent, again, which is on top of the 15 per cent reported in the previous year and 22 per cent three years ago. So that plateau that we were hoping to see in in-patient services—on those sharp increases that we have seen over the past two years we are just not seeing, unfortunately, from a demand management point of view.

This budget goes to issues of demand but we also do not lose focus on where we need to be in the future. It does have money in the budget for our e-health, an e-healthy future, \$90 million to position ourselves at the forefront of implementation of e-health technology into the ACT. We are lucky here that when we have the opportunity to rebuild our health system we have the opportunity to build that IT infrastructure into those new buildings as they are being built; some of the older jurisdictions that already have their hospitals in place or that have been refurbished are not in that same lucky position.

I take this opportunity to say that I will be visiting Denmark and Norway in August, after an invitation from the Danish minister for health, Mr Jakob Axel Nielsen, who

was here last year. Before the opposition jump quickly to say “junket”, I should indicate that this is my first overseas trip since joining the Legislative Assembly. I am going for seven days. It is fully funded out of my office and I am visiting three countries in seven days over there, which include Denmark and Norway, and this has been at the invitation of the Danish minister for health. We will be visiting a number of hospitals.

The Danes have been at the forefront of e-health technology and implementation. They actually introduced the first electronic health record back in 1962, so there are certainly 40 years of learning that we can take from the Danish lead on e-health. I will also be visiting a number of hospitals in Norway where they are doing very significant rebuilds of their health system. In Denmark I will be visiting one of the most modern and progressive hospital campuses in the world, at Aarhus, a regional centre, I am told, of similar size and characteristics to the ACT.

I am looking forward to that opportunity. I think it will give me some really good learning about how we apply our own e-healthy future initiative here in the ACT and make sure that we learn from any mistakes or any advice that the Scandinavian authorities can provide us with.

In the estimates report I said I would provide to the Assembly by the end of the June period the budget overruns—well, they are all overruns—or the budget performance of Calvary Health Care and Canberra Hospital over the past three years. I can report to the Assembly that ACT Health provided an additional \$206,000 in 2006-07, \$3.5 million in 2007-08 and \$1 million in 2008-09 to assist Calvary to meet higher costs in each of those years. Total funding by the government to Calvary towards the cost of running public hospital services was \$97.945 million in 2006-07, in 2007-08 it was \$108.78 million and in 2009-10 it is \$116.812 million. During those budget years where did see budget overruns, cost weighted separations increased by 1.9 per cent in 2006-07, 4.6 per cent in 2007-08 and are forecast to be 4.4 per cent in 2008-09.

In Canberra Hospital the operating deficit was \$11.4 million in 2006-07, \$17.7 million in 2007-08 and a projected \$15.2 million in 2008-09. During that time cost-weighted separations increased by 6.9 per cent in 2006-07, 10.2 per cent in 2007-08 and 5.2 per cent in 2008-09. I should say also that this, I think, was linked to the potential purchase of Calvary. The government has not used financial performance as a motivation to enter into discussions with Calvary Health Care about the proposed purchase. The overwhelming motivation has been to consider the financial benefit to the community while ensuring high-quality hospital services to the north of Canberra.

Planning by ACT Health supports a significant increase in health infrastructure and, as I have said on a number of occasions in this house, under the current arrangements any proposed capital outlay for the Calvary Public Hospital site would be treated as a grant to the benefit of a third party and at the expense of the territory's own operating result. Therefore, it is the government's preference to see capital outlays remain as a financial asset for the territory, and that is certainly the position that we have taken on Calvary. Whilst I have given those figures based on a recommendation of the estimates report, I do beg for caution. We have not used financial performance, and the fact that both hospitals have been dealing with increased activity over those three years has meant that they have required additional appropriations to their budget.

I thank members for their contributions to the debate. This is an important area of the budget—I think about 28 per cent of the overall budget and growing every year. Part of the government's plan is to integrate our public health system, to focus on our community health initiatives. There is \$50 million-odd there for an enhanced community health centre in Belconnen to take services that are able to be removed from the public hospital and offer them in a community-based setting, in new environments; to keep people out of hospital, to make sure the hospital is there for the people who need the hospital and that when people leave the hospital our focus is on keeping them out of hospital so that they do not have to return.

There are a number of good news initiatives in this budget: more beds, more infrastructure, more focus on chronic disease and preventative health programs, and support for new services such as the mental health assessment unit and the medical retrieval services. I commend that line to the Assembly.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.12—Department of Disability, Housing and Community Services, \$181,687,000 (net cost of outputs), \$30,366,000 (capital injection) and \$34,239,000 (payments on behalf of the territory), totalling \$246,292,000.

**MR DOSZPOT** (Brindabella) (9.10): The disability sector received some good news in this budget in relation to the transition of long-term hospital patients to the community. However, the extra funding provided was a matter of necessity and not an optional bonus. The government made the announcements in relation to this funding magnanimously, as if they were providing something that had not yet been identified as a pressing need, as if the funding was actually adding to the whole budget for Disability ACT. This has been an excruciatingly long time coming for some individuals. The fact that, according to the Disability ACT website, \$74.5 million is required to meet demand in the disability sector and that the current allocation is \$68.5 million puts paid to the myth that the government is even meeting demand in the sector.

As I have said before in this place, support for people with a disability must go beyond the basic needs of accommodation, personal care and financial support. Quality of life is a crucial aspect of the needs of people with a disability, and this should not be seen as an “optional extra” when we consider programs that address the fundamentals. It is important to note that the commonwealth will be picking up that \$8 million shortfall as part of the CSTDA—the Commonwealth-State/Territory Disability Agreement.

The estimates committee questioned aspects of the Auditor-General's recent report into respite services; namely, seeking clarification of how accreditation and audits are currently conducted and other issues raised by the Auditor-General. It is important to note that the minister was unable to address the possibility of implications from the report in relation to similar problems associated with the overall service delivery of Disability ACT.

Madam Assistant Speaker, I can tell you that there are problems. If the level of representations to my office is anything to go by, there are serious issues with service delivery at the Disability ACT level that are not being addressed. It is a case of the squeaky wheel getting oiled, and this just should not be the case.

Again, I will use this opportunity to raise the issue of a lack of interdepartmental engagement and whole-of-government approach. It seems that there is no guarantee that consistent information will be available across all agencies. The best illustration of these inconsistencies can be found in a constituent matter that was raised with me by a parent of a child with a disability who was forced to pay commercial registration fees for his wheelchair-accessible van. After five years of getting the run-around from Disability ACT and TAMS and after numerous letters to the Chief Minister, it was only when this matter was brought to my attention and I brought this matter up directly with the minister for disability and the department that I found they were still not aware of any solution.

It was only when I took this matter to the media that a solution suddenly surfaced from the Chief Minister's office. My representations on behalf of a constituent led to an opportunity whereby the media was going to call on the constituent, and it was only then, after five years of being pushed from pillar to post, that this constituent was told: "There is a very simple solution. All you have to do is go to the motor registry and let people know what your situation is, let the manager of the motor registry know, and there is a discretionary power vested in the manager of the motor registry to actually fix your case." It took five years of constant running around by this individual.

This person is not the only one with this problem, and this information about the discretionary powers was not public; it was not even in fine print. The left hand simply did not know what the right hand was doing. Even now, I do not believe that this has been addressed adequately. There are still people who need assistance in this regard.

There are major concerns brought to me by the community about the processes used by the department when it is necessary to modify an individual support package. I understand the difficulty in assessing the initial needs and that this will not be an exact science. However, there must be a better way to provide some room to move in this area.

I have been reminded on a number of occasions in recent times of the Gallop report into disability services which was tabled in this place in 2002. This was also mentioned during the estimates hearings. Sweeping changes were recommended to the agency, which at that time was called ACT Disability Services. The report detailed systemic mismanagement of service provision, and some reform has taken place. I would like to see, however, some reflection on these lessons learned way back in 2002 and an update from the current government on the recommendations agreed to in order to keep moving forward with reform.

Another issue that must be raised is the relocation of the equipment loan service and independent living centre—again, an example of the left hand not knowing what the

right hand is doing. The minister for disability, Mr Hargreaves, was completely unaware of the relocation of the independent living centre, the ILC. Although managed by ACT Health, the ILC is a centre which is directly associated with the minister's portfolio responsibilities in the disability area and, importantly, it provides an integral service to people with a disability in the ACT. I strongly support the estimates committee's recommendation No 111 that ACT Health conduct a full consultation process with users of the equipment loan service and the independent living centre to determine the best location before this relocation occurs.

I turn to multicultural affairs. As one would expect, the Multicultural Festival dominates this line item in the budget papers. Again, we see a need for better evaluation and monitoring processes when it comes to the festival. The estimates committee recommendation 112 goes to the heart of this by calling for a full annual report measuring the success of the festival. I would also like to see the minister provide a list of the tenancies currently occupying the Theo Notaras centre—something he undertook to do during the estimates hearing, and which I have not yet received at this point. The initial intention of the building was to provide as much community space as possible, and it would be good to see that this is currently the case.

One of the most frustrating things I have found with my first interaction with the ACT government's budget papers is the limited accountability indicators and the lack of information relating to the smaller line items. I would like to see some attention paid to this in future budget papers.

**MR COE** (Ginninderra) (9.17): I wish to speak about recommendation 120, in volume 2 of the report. The recommendation reads:

The Committee recommends that the Minister for Children and Young People, Mr Andrew Barr MLA, reports all security breaches at the Bimberi Youth Justice Centre to the Assembly quarterly.

Not surprisingly, the government did not agree to this recommendation. I think this recommendation is extremely important, as the safety and security of youth detainees are absolutely vital for their rehabilitation. If we are not aware of issues that are taking place at the centre with regard to their safety and security then it is very hard for us to hold the government to account. I am very scared that that is what this is all about—that it is actually about pre-emptive political damage control as opposed to the best interests of the actual detainees, the kids or young people that we are actually trying to rehabilitate.

The government says that robust reporting requirements are in place. However, if the reports do not actually see the light of the day then it does not really mean a great deal. In fact, if the reporting was robust it would not have been a surprise to Assembly members when it turned out that there had been an issue—a fairly significant issue, I would think—at the centre that we only found out about through the estimates process.

In fact, I asked the minister, Mr Barr, whether there had been any problems or breaches at Bimberi, and he said no. It was only when we pressed him on this issue

that we found out that two youths had made it onto the roof, which, unsurprisingly, is not an area where they are usually meant to be. His answer was that it was an incident, not a breach, which I found to be pretty special. You would think that if he was interested in reporting on the safety, security and wellbeing of the young people in the centre he would have admitted that that was a problem or a breach rather than an incident, as he defined it. I will hand over to Mrs Dunne.

**MRS DUNNE** (Ginninderra) (9.19): This is an extraordinarily important line in the budget which deals with so many areas that it is hard to do it justice in the time allotted.

I will turn first to the area of women. In its snapshot on the ACT budget, ACTCOSS applauds two budget initiatives: the extension of four weeks to existing paid maternity leave arrangements and the provision of funding for diagnostic mammography services for women who currently do not meet the access criteria for the BreastScreen program. The Canberra Liberals also support these initiatives.

In relation to the extended maternity leave program, however, ACTCOSS cautions that it “will have little impact on women experiencing disadvantage, poverty and vulnerability, who are most in need of support”. However, ACTCOSS’s greatest concern, according to its snapshot document, is the failure of this year’s budget to include a women’s budget statement. Over the years, I have been critical of the women’s budget statement for its failure to address adequately the issues that one would expect. Answering questions on the women’s budget statement in estimates hearings, the minister said:

I have always found that budget statement to be fraught in terms of the content and how useful it is.

She went on to say:

I just do not feel that we have ever really got the statement right so that it is a useful analysis of the budget.

The minister continued to explain that she took responsibility for the women’s budget statement and so she was looking for a better alternative. I will be interested to see what work is done to replace the women’s budget statement and whether we end up with a more useful analysis in terms of the budget.

The recent controversy about the funding of the ACT Women’s Legal Service cannot go unmentioned. The real truth behind who is paying what to whom and whether or not the commonwealth and the ACT’s funding have increased remains unclear, and I will continue to follow up that matter. However, let me make this observation. The Women’s Legal Centre is one of those quiet achievers that fills a gaping hole in the services provided to women in our community, particularly Indigenous women. To their great credit, the staff of the centre, who, elsewhere, could be earning multiples of the salaries they earn at the centre, have decided to take pay cuts so that they can continue to provide services. This dedication and the services that they provide should get more recognition from both the commonwealth and the ACT government.

Children's services is an extraordinarily difficult area and there are some welcome things in the budget. I refer to initiatives like the West Belconnen Child and Family Centre, play therapy and speech pathology. The speech pathology one in particular is overdue and therefore extraordinarily welcome. The special care packages and the growth funding in the out-of-home-care provision of services is also very welcome indeed.

In the past year we have seen the vexed issue of the recruitment of overseas workers to work in child care and protection and the costs associated with that program. There was a fulsome explanation given at the estimates committee by the Senior Director, Strategic Support, in the Office for Children, Youth and Family Support. I think that the office is doing the best that it can. But it should be noted that there is a recommendation that the ACT government review the employment conditions in the child care and protection area to ensure that the ACT can attract and retain sufficient numbers of skilled professionals. I fear that, by only noting that recommendation, little will be done on that.

The bottom line is that that agency had a number of skilled workers engaged in delivering services on a casual contract basis. When those contracts expired, they were not renewed because there was no budget available for the purpose. And this is where the dilemma lies. We have seen in evidence before the estimates committee that, out of the 34 staff recruited from overseas in 2004, only 15 are still engaged in front-line service delivery. Thankfully, so far the 36 recruited in 2008 are still working in the area.

Turning to community services, Canberra is blessed with a wide range of community NGOs. Those organisations deliver an amazing range of services that otherwise would have to be delivered by government. Those organisations, apparently unlike some government agencies, are able to attract and retain staff who show extraordinary resilience, dedication and commitment even though they earn much less than their counterparts in government agencies.

More often than not, they put in hours way beyond the call of duty. More often than not, they have to work in and with less than adequate accommodation and resources. More often than not, they have to work with clients who have very special needs who are very difficult to deal with. Nearly always, they work for salaries for which many other people would not think it worth while to get out of bed in the morning. And it is usually the case that the nature of their work is such that their only realistic prospect of funding is government funding. The nature of their work is such that it is difficult for them to generate their own revenue, and, if they try to do it, it diverts them from their main business. The nature of their work is such that it is difficult for them to attract private sector sponsorship, although some have been more successful than others in doing so.

This government really has not gone the whole distance with these organisations. ACTCOSS told the estimates committee that one organisation had experienced an increase of 60 per cent in call-out figures. To its detriment, at a time when the demand on these organisations has significantly increased, the government actually reduced

the amount of indexation in 2009-10, from four per cent to 3.15 per cent. It shows that we have a government which does not have its priorities right.

One of the issues that we have in this portfolio is that there is so much crossover and so many unclear lines of communication—the crossovers between Health and Disability, and between Disability and Child and Family Support. I think that we are not getting the best value we can out of hardworking public servants who want to do the best, and hardworking people in the public sector who want to do the best for vulnerable people in our community.

**MR HANSON** (Molonglo) (9.27): Turning to the issue of Indigenous affairs, we know that there is a real problem in the ACT and across Australia for our Indigenous people. It is across some real areas of need—health, education. Today you have probably seen in the media reports about corrections. Ten per cent of prisoners in the ACT are Indigenous and the rate across Australia means that you are 13 times more likely to be in jail if you are an Indigenous person. That is disgraceful, I think.

There is no room for politics to be played when it comes to Indigenous people. I have not done so; I will not do so. In this area I want to work as cooperatively as I can with the government to make sure that we get the outcome that is needed.

There are some areas of funding in the budget that are identified, which we welcome. There are a number of election commitments which are outstanding—the genealogy project, Indigenous leadership grants and the grandparent carers fund which I believe has been rolled into another program but I am yet to see the detail on that. So there is a lot of work to be done. We will hold the government to account and scrutinise it but will not in any way play politics; we will work as cooperatively as we can to achieve the result.

We welcome the money to facilitate the Indigenous elected body. I have met with them. I actually signed a letter today advising them that we will have a shadow cabinet meeting with them in order to support them in their endeavours to help to make sure that we close the gap between our Indigenous and our non-Indigenous people in the ACT.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (9.28): Along with community groups, we are concerned about the lower level of indexation this financial year for the community sector. We have raised this with the Treasurer and note it has been raised in estimates hearings. The impact of lower level indexation has a direct impact on the ability of the community services sector to attract and retain staff. They are not able to compete with other employment sectors. Traditionally there has been a wage gap between the community and public sectors. In the short term, this is not being addressed, and concerns among the community sector are very real that this will not be addressed as we are moving into budget deficit.

We are all well aware of the fact that the community sector is experiencing a high level of demand for services in the current economic climate. At post-budget information sessions, ACTCOSS and Uniting Care voiced their concerns about increased demand and, since the budget, a number of other community organisations

have also met with the Greens to raise the issue of increased demand for services. While it was pleasing to see the government last week provide \$150,000 as part of its winter relief fund, when spread across a number of community groups, it will not go far.

We understand, from the estimates hearings, that the ACT foster care subsidy is being increased to bring the ACT in line with New South Wales and other states, through the negotiation of new contracts with out-of-home care agencies. Presently the subsidy paid to ACT foster carers is only around half the cost of raising a child and is totally inadequate. It is critical that these negotiations are done in a timely manner that allows the use of the subsidy for those who presently provide care. It may also encourage more people to take on a foster care role. Our feedback indicates a significant shortage of foster care families in the ACT, and the cost associated with care is a factor.

I would like to acknowledge the government's recognition of key issues for children and young people in the ACT. The increases in speech pathologist services and therapy services are welcome, as well as the West Belconnen Child and Family Centre, and increased money for the Youth Advisory Committee. I also welcome the upcoming therapeutic facility at Marlow and will monitor the progress of the much-awaited unit and how this impacts the provision of therapy to care and protection.

Multicultural Youth Services, unfortunately, did not receive ongoing funding out of this budget. Their funding will cease on 30 June. It came from the community inclusion fund. It is disappointing to see that there was a lack of understanding of the importance of a specific youth service for young people who are refugees or from a multicultural background. We will continue to lobby to get some funding for MYS.

I am concerned, however, about the lack of a whole-of-government approach to issues relating to children and young people. I call on the minister to increase links between DHCS, the department of education, and even within DHCS, to areas such as multicultural affairs, to ensure that services provided by all government agencies to children and young people are consistent and provide the best possible outcome for children and young people.

The 2009 ACT budget has both positive and negative consequences for women of the ACT. I welcome many of the measures in this budget aimed at improving women's health, wellbeing and safety, such as the diagnostic mammography services, paid maternity leave for the ACT public service and changes to public housing which will benefit victims of domestic violence.

I also welcome the commitment from the ACT government, after much lobbying, to continue funding for the Indigenous position at the Women's Legal Centre. I do understand that the \$50,000 a year they were receiving from the community inclusion fund is not enough to have a full-time worker and will continue to talk to the government on this matter.

The ACT Greens raised a concern with regard to the absence of a women's statement in this year's budget. This statement had been a fixture of previous budgets and

provided a summary of the impact of the budget on women and girls of the ACT. When this was discussed in the estimates hearings, the minister advised that she felt that the statement had been of limited use in the past and that the government's work on phasing in gender analysis and gender disaggregated data should provide more comprehensive advice on the budget's impact on women.

I had hoped the estimates committee would call for a whole-of-government approach to men's issues and data analysis and the disaggregated gender data to especially provide consistency across agencies, and I am disappointed that this was not raised. I expect that the Minister for Women will monitor the rollout of gender analysis across the ACT government.

While there is some debate about whether or not funding is delivered via Disability ACT, the issue that has come to my attention over recent months and concerned me the most is the inequity in transparency for those services provided by non-government organisations in comparison to those provided by the government. It seems a bit of a double standard that Disability ACT conducts five audits of NGOs a year to ensure they meet appropriate standards, and yet Disability ACT itself is subject to only one independent audit a year. So who is holding Disability ACT to account if an independent audit finds that not all standards are being met? Is this a role of the commissioner for people with a disability, and what obligations are there on Disability ACT to make this information public?

Through the estimates hearings we were advised that, under a new service funding agreement with the commonwealth, Disability ACT and NGOs will be subject to prerequisite accreditation, with the framework to be determined by each state and territory. The minister did not make it clear during the estimates hearings that community providers would receive assistance from the government to go through this accreditation process, and the example was used of providing \$245,000 to the community housing organisations when they went through accreditation. I expect to see this funding in next year's budget.

Discussion was had in estimates about the level of unmet need within Disability ACT, as this was something recently reported on by the Auditor-General. It is thought that we are about \$8 million to \$9 million short of where we need to be, and I have to say that we have had some strong representations on this issue.

There are a number of constituents who have contacted us in regard to disability services in recent months. They have also raised the issue of the Gallop report and whether the government have addressed all the recommendations and whether real change has been achieved. The minister did commit to providing the estimates committees with an update on the recommendations of the Gallop report, and we look forward to receiving this.

I appreciate the update we received from the minister via a question on notice in regard to the disability workforce strategy. It can be seen that considerable work has been done to try to attract workers to the sector. There are some very good goals set out in the strategy, and we look forward to more progress being achieved in the future.

The ACT government's funding of the companion card is an important achievement. Paying for carers to attend events with a person who has a disability can be expensive, especially for those people that have limited funds. This program will be of limited cost to the government but will have a big impact on those people with a disability and those who care with/for them.

A key concern to have arisen out of investigations into the Ageing budget was the elder abuse program and the rationale behind ceasing its funding. We were advised during estimates that the \$90,000 provided to ADACAS to run this program was a one-off and funding will cease on 30 June. The elder abuse advocacy funding was originally provided as a one-off because the officer who received ADACAS's submission—this is according to ADACAS—most unfortunately passed away.

As a result, ADACAS's submission was lost and did not make it into the relevant budget deliberations. When this was realised, one-off funding was provided to ADACAS on the basis that ADACAS would put in a new budget submission in the following year. At the time, however, there seemed to be little question that the need for the service was established and that it was an administrative error that had prevented it receiving recurrent funding.

It was also recommended via the review of the elder abuse prevention program that, in every case of suspected or actual elder abuse, a coordinator from the most appropriate service be identified and named, with the responsibility for response coordination for the client. In the case of people suffering elder abuse and who are considered to be legally competent, ADACAS provides that service. And while funding is tight during the global financial crisis, it can be argued that more elderly people rather than fewer are likely to suffer abuse.

The estimates committee did recommend that ADACAS continue to receive funding to run the elder abuse program. We are disappointed to see the government responded negatively to this recommendation. The government did say in its response that it will redevelop its elder abuse program so that it has a more coordinated and multidisciplinary approach. We are very keen to know how much funding the ACT government will allocate to this, when it will tender for it and whether we have to wait for 12 to 18 months for this to occur.

On a positive note, I am pleased to see \$1.5 million allocated for the refurbishment or construction of a facility for the Tuggeranong 55 Plus Club. I understand we should see the results of the feasibility study shortly. The activities calendar for the club is a busy one, with activities ranging from jazzercise to digital photography, and I am sure a new facility will do much to add to the social inclusion of older people living in Tuggeranong.

**MR HARGREAVES** (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (9.37): The initiatives in the 2009-10 budget continue to deliver our commitment to improve the outcomes for people with disability, families and carers. This commitment has seen funding for disability services and support

increased 65 per cent since 2001, when we came to office. In dollar terms, this is a rise from \$41.5 million in 2002-03 to \$68.6 million in 2009-10. This substantially increased funding has gone directly into services and support for individuals and their families.

Accommodation support places have increased by 31 per cent. Community support hours have increased by 55 per cent. Community access hours have increased by 70 per cent. Respite bed nights have been increased by 11 per cent and flexible respite hours have increased by 96 per cent.

Members will recall that, in 2002, the Gallop inquiry found that the rights and interests of people with disabilities had not been adequately or effectively protected by the policies and systems operating in the ACT. The Gallop inquiry was, in effect, since it addressed issues present before we came into office, an indictment of the stewardship of the former Liberal/Michael Moore government. It said that there was an urgent need to introduce change, noting that this would require a commitment by the government, new vision, service innovation and strong leadership. We have provided this leadership, vision and innovation, delivering substantial reform to disability services.

Importantly, this was achieved in partnership with the disability sector, in particular, people with disabilities and their families. Our achievements have been built on a systematic strategy, a mix of practical and innovative steps developed through listening to the community. Overall, we now find ourselves at a point where individuals with disabilities and their significant support networks participate significantly in the development and ongoing improvement of disability services. These services are more person centred and focused on the needs of individuals. The sector itself has become more accessible and transparent. Information services are more readily available and better crafted to assist people with disabilities and their families to make choices that are appropriate for them.

The 2009-10 ACT budget saw moneys directed to further assist the social inclusion of people with disabilities. The government provided an additional \$3 million over four years to assist people with a disability, who are currently being supported in hospital, to transition to suitable housing and provide ongoing support.

ACT Health and the Department of Disability, Housing and Community Services continue to work together and directly communicate with individuals to identify support needs and commence transitioning people to appropriate long-term housing and support arrangements. An advisory group, comprising people with expertise in key aspects of personal support, has been established to progress the prioritisation of people who are medically cleared for discharge from the ACT hospital system, to receive appropriate community-based support for their ongoing care needs. Each individual will have different needs. Therefore, each support package will look different. The first plans are expected to begin to be implemented from 1 July 2009.

The \$3 million over three years delivered by the Labor government for people transitioning from hospital is in stark contrast to the policy put by the Canberra Liberals at the last election. The Liberals' pathways from hospital policy only funded

\$800,000 over one financial year, with absolutely no funding allocated in the outyears. Another way of looking at it is that they would have only given \$200,000 a year over four years—perhaps enough to remove one person from hospital, but not enough for anyone else.

This is probably fitting, as the Liberals, particularly Mr Doszpot, are very good at championing the cause of one individual through the papers and in this chamber, above the needs and requirements of others. My sympathy is with all the people currently residing in hospital. And I will do all I can to provide supported accommodation for them in the community. It is important that each of the individuals is treated equally and fairly and, as such, the advisory panel which has been set up will provide a guide on how best we can support people with disabilities transitioning out of hospital.

We allocated \$400,000 over four years to introduce the companion card program. This program will be part of the national companion card scheme and cardholders will be able to use their card at over 1,800 businesses across Australia that currently accept the card.

The budget also allocated \$200,000 annually to the flexible support fund. A component of the flexible support fund is the quality of life grants funded through Disability ACT. These grants enable small, person-centred initiatives to promote independence. We called for applications for the quality of life grants on 6 June 2009, with a closing date of 10 July 2009. As previously reported to the Assembly, the government successfully negotiated with the Australian government for a further \$15.23 million over five years under the new national disability agreement.

As members are aware, I announced today we are developing a strategic plan for positive ageing. Where is the Liberals' vision in this area? It is nowhere to be seen. The 2009-10 budget, not surprisingly, strongly supports positive ageing. The seniors grants program has been increased from \$85,000 to \$100,000 per annum. The grants provide funding assistance to individuals and groups to develop activities that promote active lifestyles and reduce the social isolation of older people in the ACT.

We are able to honour our commitment to establish a permanent seniors club in the Tuggeranong area. The allocation of \$1.5 million is for the refurbishment or construction of that facility. This follows the \$200,000 committed in the 2008-09 second appropriation for the feasibility study to look at a most suitable location.

Finally, I would like to refer to our multicultural community and the \$200,000 budgeted for the migrant and refugee settlement services. It is initiatives like this that will assist MARSS to meet the needs of refugees and other migrants who choose to settle in Canberra. Incidentally, we took up the slack that the federal government created for us. We have been doing things and this mob have not.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (9.43): The budget priorities for children and young people are a statement of this government's commitment for the next generation. It is about pressing ahead with early

intervention; it is about meeting immediate needs in our community; it is about providing special care for Indigenous children and young people, doing our best for children with complex needs; it is about reforming services with better integration; and it is about helping every kid in this city feel like they fit in.

The centrepiece of the 2009-10 budget for children and youth is an \$11 million commitment for children and young people in out-of-home care. Over the last five years, the number of children in care has increased steadily. Children and young people are staying longer in care and their needs have become more complex. This \$11 million funding boost will directly respond to this demand. The money will establish intensive therapeutic services for children and young people with very complex problems. The money will also be used to provide advocacy and support for grandparent and kinship carers facing unexpected challenges when they take on the care of a family member.

An additional \$20,000 is provided to the Youth Advisory Council to assist them with their activities and consultation processes to ensure young people's voices are heard. I am also very pleased that, as a result of a partnership with the Australian government, a third child and family centre will be built in west Belconnen. In total, more than \$6 million will be spent on developing the centre over the next six years.

There is also a one-off injection of \$162,000 towards repairs and maintenance of government-leased community facilities, including childcare centres. New childcare standards have also been introduced and, for the first time in many years, we have achieved full staffing in care and protection services.

The one recommendation from the estimates committee that was not agreed by the government relates to the reporting recommendation on the Bimberi Youth Justice Centre. The reason the government does not believe that this is necessary is that there are already adequate and robust reporting procedures in place. The reporting requirements for the Bimberi Youth Justice Centre are clearly defined in the Children and Young People (Records and Reporting Policy and Procedures) Regulation 2008 No 1. This is a notifiable instrument made under the Children and Young People Act, section 143, and is one of a number of comprehensive policies and procedures which are available as part of the youth justice operating procedures. And this document specifically addresses requirements for the recording of information related to operations at a detention place, including statutory requirements to record information in registers, report certain incidents affecting safety and security to higher administrative authorities and oversight persons and agencies.

So in addition to the reporting requirements within the department, there is also a range of oversight bodies, including the Public Advocate, the human rights commissioner and the Official Visitor, who has a right or requirement to visit Bimberi and meet with young people and inspect registers. The Official Visitor must visit the centre at least fortnightly, in accordance with section 39 of the act. The Public Advocate is required to inspect the register of searches and use of force at least once every three months. The Legislative Assembly, through legislation, provides public officials to conduct this work. And let me put on the record that I have full confidence in these oversight bodies and my department to report appropriately and in a timely fashion on issues of concern.

This reporting regime is substantial, and security issues are already addressed through this process. For that reason, the government did not support the recommendation of the estimates committee.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.13—Housing ACT, \$46,705,000 (net cost of outputs) and \$76,082,000 (capital injection), totalling \$122,787,000.

**MR COE** (Ginninderra) (9:48): I rise to speak about Housing ACT and the appropriation for it as per the 2009-10 budget. Housing ACT is always a controversial area of the ACT budget and a controversial area for the government in general. It is an area of government that involves managing a lot of competing priorities, an area of government that of course has a huge expenditure, and an area that is increasingly changing in scope with the growth of the community housing and affordable housing sectors.

Whilst it is a challenging area, it is also an area that does provide a lot of opportunities. That is something that the ACT non-government housing providers are providing. They are providing a lot of opportunity and a lot of excitement in the housing space—organisations like Community Housing Canberra, Havelock and others.

I do note on community housing that budget paper 4 on page 270 reveals that tenant overall satisfaction is 71 per cent for public housing and 73 per cent for community housing. By the budget indicators there, there is general approval that the community housing sector is doing a good job.

It is no mistake that the community housing sector in Canberra will have some successful applications with regard to the national stimulus package. It is important that the ACT government does actually back non-government organisations when going for this money, and back them heavily. There were some concerns early on in this debate that the ACT government would be trying to push for all the stimulus package money to be going to Housing ACT. I am pleased that that position has not been followed through and that the ACT will have applications, hopefully successful applications, from the non-government sector.

One of the biggest issues that I have encountered since I was elected to this place and appointed shadow minister for housing is that of antisocial behaviour in public housing. I am the first to admit that it is by no means an easy area of government. Complaints have come to my office from neighbours of Housing ACT properties, tenants of Housing ACT properties and some people who have been accused of antisocial behaviour themselves. There are certainly a lot of positions that have to be managed. I commend Housing ACT for their commitment, but I do state that there is a long way to go before this is dealt with properly.

In particular, I have received complaints from at least 11 suburbs, including Ainslie, Belconnen, Chisholm, Holt, Kaleen, Kambah, Oaks Estate, Lyons, Theodore and Watson. The overwhelming feeling of affected neighbours of public housing is that

tenants can often be noisy or potentially abusive. I acknowledge that there is probably only a fraction of the overall housing population that is doing this kind of behaviour, but it is that fraction that is giving everybody else a bad name. I do think that Housing ACT does need to do more to enforce the terms of tenancy so that innocent neighbours can have their peace and quiet and their livelihood upheld.

The majority of rental arrears continues to be written off as bad debt. This is simply not good enough. We need to make sure that the tenancy agreements we have in place are strongly adhered to. If you actually enforce the tenancy agreement, it is far more likely that you are going to have tenants who respect the agreement. They will then respect their house, and there will be a cultural shift.

If you go a bit lackadaisical on any particular area with the governance of public housing, you end up having a cultural change in the wrong direction. Everything has to be maintained, whether it be the standard of behaviour, the payment or the upkeep of the house. All have to be upheld, and all have to be upheld to a high standard so that we can have tenants who take pride in their house.

It is a privilege to live in public housing. Taxpayers are funding it. They are subsidising many people living in public housing. That is what taxpayers expect. Taxpayers expect that some of their money will go to subsidising people who cannot afford to live in their own accommodation. That said, there are rights and responsibilities for both the government and tenants.

I will touch on the overall position of the budget with regard to the Labor-Greens agreement. We have concerns with raising the level of public housing in the ACT to 10 per cent. To raise the level to 10 per cent would mean acquiring about 1,500 houses or perhaps knocking down lots of other houses in Canberra to reduce the overall level to make it 10 per cent more.

**Mr Hargreaves:** We could blow a suburb up or take a suburb out. Is that what you want?

**MR COE:** That is right. I am sure that if you took out Nicholls, Hall or something and gave it to New South Wales, you might get 10 per cent public housing or thereabouts. But I do think it is interesting to look at Mr Hargreaves's media release of 22 June. He says:

Typically, the Greens answer to issues is to buy more. They would like to have 10% of all properties in Canberra in social housing hands. This would mean that to bring the stock to this percentage the community would have to find nearly \$900 million. And then, pay for 10% of all properties constructed after that at a rate of over \$400,000 per unit. And this doesn't include the ongoing maintenance cost. These economics just don't stack up.

Mr Hargreaves goes on to say:

The Greens will say that this can occur over time, but don't say how much time and where the money will come from. How many teachers or nurses we can't recruit, or how many capital projects can't go ahead.

The media release says:

“The notion of the Greens that we can go back to the times when the most deserving of our community needed to wait far too long for housing relief is just something too terrible to contemplate,” concluded Minister Hargreaves.

It is interesting that he should quote these figures—the figures that I uncovered in the briefing to incoming ministers and put out a press release on. It ran in the *Canberra Times* a month or two ago. It is interesting that he should pick up on the very figure that I put into my media release. At the time, I do not know how complimentary he would have been about that story and about that media release, but I am glad that, as time has rolled on and the minister has matured, he has come to the point of view that I formed a couple of months ago—that 10 per cent and the appropriation of 1,500 houses would simply be bad economics.

The really interesting thing about this is that Mr Hargreaves puts out this release and he bags it all out. He bags out the costs, but it is his Chief Minister and his Deputy Chief Minister who are signatories to that agreement. Katy Gallagher and Jon Stanhope signed up to that agreement. They signed up to an additional 1,500 houses—as you say here, 1,500 dwellings at a cost of \$900 million. I did not see that fact in the release here. Maybe I have got to reread it; maybe I have got to go over it or get my adviser to look at it. But it is interesting that he does not acknowledge that the Chief Minister and Deputy Chief Minister also signed up to that agreement.

I am not sure that putting \$900 million into public housing in the ACT is the best way to spend \$900 million and I am not sure it is the best way to serve those most deserving in our community. Housing is one need, but there are many other needs and, given that we already have about 11,000 properties or thereabouts—a bit more, the Chief Minister says—

**Mr Hargreaves:** I am not the Chief Minister.

**MR COE:** Sorry—that the minister for housing says. Given that we already have 11,000, what we need to be doing is making sure that we have the most deserving. (*Second speaking period taken.*) What we need to do is make sure we have the most deserving people in those 11,000 properties rather than simply acquiring more and more properties.

As the minister said in estimates, it is quite possible that we have people in the ACT in public housing who are earning more than \$100,000 a year. If we have people in public housing in the ACT earning more than \$100,000 a year, the system is failing. I think the system is failing. We need to make sure that we have people who are on the lowest incomes or people who are not able to take care of themselves in those properties. To have people in a public housing property for perhaps five or 10 years on an income that could be two or three times the average male income is probably not the best way forward. We should look at ways of bringing people out of public housing so that we can free up that property for someone who is more deserving.

I acknowledge that the minister for housing has said that he is working on a joint equity or shared equity scheme. There is some merit in that. I hope that does get off the ground. I understand that he plans to launch it in the coming months; I think there are some opportunities there to encourage people into homeownership, albeit a portion at a time.

But I would also state that another very important scheme, which I do not think has been maximised or promoted as well as it could have been by Housing ACT, is the buy your own home scheme. If we have tenants who are earning in excess of \$100,000 a year, there is a fair chance that they are capable of putting together a deposit or negotiating with Housing ACT to acquire their property through instalments or outright through independent loans.

**Mr Hargreaves:** We sell 60 a year.

**MR COE:** The minister says 60 a year. It is my understanding that it is more like 35, 27 or something in the last 12 months. I am pretty sure it was 27 or 35 or something in the last 12 months.

**Mr Hargreaves:** This year?

**MR COE:** Sorry, in 2007-08. With that in mind, if there are 10,500 tenancies in that same period and we are selling only 27, 35 or whatever the number is, I do not think that is a high enough strike rate. It needs to be promoted more and it needs to be promoted properly.

Another issue in Housing ACT's space is what we do with many of the housing complexes in and around the city and up and down Northbourne that are not quite in the state that they should be. I think especially of areas in Braddon, along the continuation of Barry Drive; it is Currong Street, I think. We need to make sure that those properties are delivering the best return to the tenants who live there and also to the ACT government.

If it turns out that we are better off selling those properties and investing that money into social housing elsewhere that will provide a better service to tenants and a better return to the people of Canberra overall, that is something that we should be investigating. I predict that Mr Barr's referral to the planning, public works and territory and municipal services committee may have something to do with the rejuvenation of some properties along Northbourne Avenue. If not, there may be opportunities for the committee to look into that, because some of those properties are tired and some of them are a huge expense to Housing ACT.

**Mr Hargreaves:** They are heritage.

**MR COE:** Some of them are heritage listed; I do understand that. But there are ways that we can reinvest money that was acquired through selling off some of those properties so that we will get a better return for Housing ACT and the taxpayers in Canberra.

In conclusion, let me say that there is a long way to go in the Housing ACT space. We have to be very careful that we are not simply throwing money at it, as the minister says in his press release, but are actually delivering efficient and effective services on a needs basis. I agree with the minister that it has to be on a needs basis. We do not have unlimited funds; we do not have unlimited houses. We need to make sure that we have the right people in the right accommodation. I hope that the new information that they will be able to obtain, I believe from 1 July, with regard to tenants' income—that that data does tell a story and a narrative that will help in the policy making process so that we can continue to ensure that we have the most deserving people in the right accommodation.

**MS BRESNAN** (Brindabella) (10.04): There is obviously a number of matters which fit under the policy portfolio of Housing ACT. They are obviously features of this budget and I will cover some of them in my comments. Housing ACT's key priority over the next few months is to get on with delivering the \$96 million for social housing that the federal government has made available with the twin aims of stimulating the economy and providing housing for people who are homeless or at risk of homelessness.

This opportunity to invest a significant amount of funding into social housing—that is, public and community housing—is a rare opportunity. I have to say that, although it is federal money, the commonwealth has set very tight and inflexible time frames. I would also like to acknowledge the importance of the Greens in the Senate making sure that these buildings will be at least six star.

However, it has become clear that there is going to have to be much more effort in regard to those who have responsibility for developing housing to reach above the minimum efficiency design standards that are being set. Whenever the Greens' staff have raised questions about lifting the quality of the housing that is constructed, we do get reminded that six-star performance is required, but I think a lot more can be done around that.

I was pleased to hear in the minister's statement the other day that, following the Assembly's support for the motion which the Greens put forward, the ACT government did seek guidance and advice from green building experts prior to putting together its proposals to the commonwealth government. I believe that the government could and should have acted much more quickly on this. We did start raising the issue of low emission building materials in about February, but as far as I can see we only got really concrete action on opening the government to more creative thinking on this after the Assembly passed the motion some months later.

The other element of that motion that has to some extent informed this package of social housing investment has been to work with relevant parts of the community sector. I did want the motion in the Assembly to call on the government to take a more collaborative approach. However, we were not able to get support from Labor or Liberal on this matter. Nonetheless, I would like to acknowledge that the government ran a number of events and processes to bring possible contractors into the loop and to be part of discussions. This ranged from established community housing providers to

new housing developer players. The biggest player, of course, in the process is Housing ACT. The Greens are certainly pleased to see Housing ACT able to increase its stock. Obviously, we have already had some discussion tonight about the target of 10 per cent of ACT housing stock being in the hands of public housing.

I just go again to recent figures printed in the *Canberra Times* which show a substantial increase in the number of people in the high needs category on the waiting list and the number of days they can expect to remain on that list. I know the housing minister did bristle—I think the word probably is “bristle”—at some of the suggestions we have made, and has suggested that the Greens are not committed to ensuring that the most disadvantaged people are housed, but I think he understands what our intentions are.

Just referring to Mr Coe’s comments and this notion of referring to the most needy, I am not sure if we are suggesting that a number of people on that list are not needy. The people on the priority listing still have very complex needs. As we have said, people with complex needs quite obviously and rightly need access to safe, secure and appropriate housing and the services that go with them. In addition to housing those with the highest and complex needs, Housing ACT would be more socially and financially viable with a wider range of tenants. I think I did hear the minister comment to Mr Coe about market renters. Market renters do actually enable public housing stock to be kept at a certain level. That enables people with these various complex needs to go into housing to have those support services.

We have this notion that, yes, community housing has something to offer people, it is very significant and we are very supportive of groups, in particular like Havelock. But public housing is essential. There are always going to be people who, for whatever reason—often it might be in relation to mental health issues, domestic violence or other matters in their life—will not be able to afford to buy a home. That is something we would like to see. We have the white paper that the federal government brought out too. I think that is why we have ended up with this federal stimulus funding: we recognise that there is a major issue in relation to housing, particularly for people who are vulnerable.

With the financial situation we now find ourselves in, that list shows that there are going to be different sorts of people who will need access to housing. I think that to have this notion that we should not be having public housing, there is obviously a philosophical reason behind it with the Liberal Party. But I really just do not understand their thinking in saying we should not have public housing, which is essentially what they are saying, because there is a high need there in the community.

I think the comments that Mr Coe has made are very disappointing and quite disturbing in a way. I also refer to that \$900 million. We have never said that we want that 10 per cent to happen all at once. We recognise that it is something we have to move towards. We have also recognised that that federal stimulus funding is going to make a significant contribution towards that. If Mr Coe had looked further down that page he was referring to, I think it actually said the annual cost would be something around \$3 million. I just think that needs to be clarified.

I also want to refer again to his comments about the federal stimulus funding. As I understand it, it was always the case that funding would go to the community sector. This is particularly in relation to the second tranche of funding. In fact, the federal minister actually stated that a significant amount of the housing will need to go to the community providers by about 2012, I think was the date. I am a bit surprised again with his comments, because as far as I understood it, that was always to be the case.

I refer to antisocial behaviour. Yes, there are issues, and there are cases where this occurs. But in many cases it is due to people having conditions related to drug and alcohol and mental illness. Often these are untreated and that is why there are issues. I think we need to keep this in mind when we are talking about this issue. We need to be remembering that that is the case with many people. It could be in relation to domestic violence as well. We need to keep that in mind and be a bit more balanced when we talk about those issues.

I make some final comments about Housing ACT's shared equity scheme. The government website provides a 2007 statement promising such a scheme in 2008. That does not appear to have happened yet. As we know, the Greens have been very supportive of the government in terms of its development of a number of innovative home ownership plans. We think it is very good that we have these schemes on board.

I also mention the land rent scheme. We are pleased that that is now up and running. We hope that is given a chance to succeed. But I would also hope that we would see some progress towards the shared equity scheme in the near future as well.

**MR HARGREAVES** (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (10.12): I will address some of the things members have said. Although Mr Coe is not here I am sure he will be listening in because I wanted to address a couple of things that he said.

I wanted to celebrate in a way what I see as being a shift in the attitude of the opposition spokesperson on housing. The attitude of the spokesperson in the last Assembly was quite different from that exhibited by Mr Coe. Whilst we will have some differences—and I think that is fine; it is probably healthy—I think he actually understands a lot more of the intricacies and the difficulties that Housing ACT has and is trying to address along the way. I quite sincerely express my appreciation for that in the Assembly.

I will provide members with an explanation for the delay in the shared equity scheme. When we first floated it, we actually took a couple of models. One was from Western Australia, one from the Northern Territory and I think one might have been from Tasmania. We looked at them and we developed a model. We then took it to the financial sector. There was some interest in a number of institutions but predominantly the big ones said, "We will do it if you give us sole right to have a go at the product." That was not acceptable to us because it had the smell of low doc loans about it. The last thing in the world we wanted was for people to buy their public housing property and then to find that they could not service the mortgage.

We needed to make sure that the percentage of deposit was within their means, that their repayments were within their means and we needed to have just the right product for them. The way we figured to do that was to go to the open marketplace to get a financial institution to do the work. We are now at that point. I am confident that in the next couple of months we will be able to launch it and it will be fabulous.

It also had changed in its focus. Originally, we said that a person could buy, for example, 75 per cent of the house, and that is where it would stay. Now what we are saying is that 51 per cent gives you proprietary ownership of the place. You cannot get kicked out because you own 51 per cent of it. But it is better, if you are going to hand it down to your family, to have 100 per cent of it. We want people to have 100 per cent of it because the theme on that is at an all-time high.

We now will require people to use the equity that has accrued on that property to buy the rest of it over a certain period of time. I think it is five years, maybe 10. That is where we are at. The idea is that we shift the ground, we hope and we believe, to the benefit of our tenants that will buy the places.

I turn to Mr Coe's point and to a couple of comments that Mr Hanson was making across the chamber about those people with the ability to pay. One of the things that worried us was whether or not people had a right to unlimited tenure—a right—and therefore would need to be compensated. When we achieved self-government we were given certain caveats, if you like, on self-government. One was you cannot take property away from somebody without due compensation.

An expectation was regarded as property. Something that had been an expectation for 40 years was regarded as property. So we were in a bit of a bind about whether we could impose an exit strategy on somebody. We also did not have the ability to say to people, "How much do you earn?" The people who we did know that about were the people in receipt of rebates, because you have to declare your income to get a rebate.

So we knew at that time that 83 per cent of our tenants were below a certain figure. But we did not have the right to ask the other 17 per cent. As it happens, where we are at at the moment is 88 per cent. It has grown that five per cent in just over two years. So we changed the Housing Assistance Act to actually give us the ability, the power, the authority—call it what you will—to say to people, "Tell us your income for the last 12 months."

Our policy is that if you have a sustained income of over \$80,000 a year, we will ask you to consider buying the house from us under a shared equity scheme, buying it outright under the sales to tenants scheme or going out into the private marketplace. We will ask them to do that and show them how they can actually achieve that. In some cases, we even discuss downsizing with them. But we will know who they are.

We are talking about something like 1,400 of our tenants being market renters, but we need to understand that some of those market renters are paying \$90 a week for a bed-sitter in Ainslie Avenue. They cannot get properties like that anywhere else. So they are going to be with us until they either move on or they die. Then we start to

come down a little bit because these people are on Centrelink benefits. We estimate that we are probably looking at fewer than 500 people out of the 11½ thousand tenancies who are earning over \$80,000 a year.

A sustained income is something which has been over 80,000 for the last three years. One of the issues for us is that it is quite regular in this town that people will have an income of in excess of \$80,000, and have had it for the last five years. But in the next two years they will drop down to \$50,000 or \$60,000 because they are retiring from the public service and taking their superannuation. They are going from, say, an EL1 or SOGC position or greater where their salary is \$80,000; they retire, take their superannuation pension and they have only got a pension of \$60,000. They are under the figure. So their tenancy is not going to be a sustained one but we will not know that until we talk to them.

The plan is that as soon as we are aware that everybody has got this figure of over \$80,000 we are going to knock on their door and say to them, "We are going to come back and talk to you again in 12 months unless we can come to an agreement." Whilst we cannot require them to talk, we are actually going to go and talk to them quite significantly about that. I hope that gives a bit of a picture.

**Mr Hanson:** Is there anything in the act, when you go back in 12 months, that lets you do something about it?

**MR HARGREAVES:** We cannot impose it on anybody at the moment. We do not have that power under the act to evict someone because their income is at a certain level. But we can go to them and say to them, "These are the options we would like you to consider, please." We can appeal to their better nature. We do not expect a 100 per cent success out of this, but any success will be better than no success, which is what we have had in the recent times. We will see how that goes.

We are seeing a growth, though, in the number of rebated tenancies. I said originally that it was 83 per cent a couple of years ago; it is now 88 per cent. I predicted four years ago that in the not-too-far-distant future it would be 100 per cent, in which case it does not matter. That is the position that I just wanted to assist you with.

The other thing related to the maintenance of market renters that Ms Bresnan referred to. She is quite right. If we have market renters they actually contribute to the maintenance of our properties. The problem forward in a budgetary sense for any incoming government, whether it is a Labor government or Liberal government, is that if we take the market renters out of the game, that amount of money that they are paying over and above, which is the market rent compared to what we are doing as a rebate, we have to find in the budget as a recurrent figure for the maintenance. We have to replace it. The more successful we are in moving the market renters on the more impact on ensuing budgets we are going to have. We are aware of that. It is up around the \$20-something million mark. So it is not an insignificant figure.

Ms Bresnan is not quite right in her reference to the green advice that we sought. We did not react to the suggestion and then go and get it. It was always part of the process and it has been part of the process for a long time with us in terms of our housing

replacement program. Please remember that the stimulus package is fantastic. With a bit of luck, it is going to knock our waiting list down by up to 25 per cent, but that is not all we do.

We already have a knock-down, rebuild, replace and buy spot program anyway. That turnover is around \$60 million a year anyway. The application of green, environmentally friendly and sustainable urban design and all of that sort of stuff that we applied to that has been in place for some time in our own properties anyway.

What is new is the movement from five star to six star. We are aspiring to six star. In some cases we have been able to achieve it; in other cases we cannot. If we are spot-buying a property, we would say we are not buying it under four. That has been the case in the past, but we would aspire to five. Now we are not. If we build a place it has got to be six. If we are buying a place, we are only buying at five. That is where we are at. I will not go on with the prepared speech I have. I just wanted to address the issues that were raised by members.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.14—Department of Justice and Community Safety, \$185,983,000 (net cost of outputs), \$54,193,000 (capital injection) and \$135,842,000 (payments on behalf of the territory), totalling \$376,018,000.

**MRS DUNNE** (Ginninderra) (10:23): The Justice and Community Safety portfolio is wide ranging, and I shall devote the time allotted to me to deal with some matters inside the Department of Justice and Community Safety in the legal area, particularly the ACAT, the DPP and judicial appointments. But, before I do, in talking on the women's budget I spoke about the Women's Legal Service and I note with some regret that recommendation 101 in relation to legal centres, that the government review the funding arrangements for all community legal centres prior to the ACT budget, was only noted. I am not quite sure what "noted" means but it does not sound like a very fulsome endorsement of a very sensible recommendation. If we had a proper review of community legal services we might come up with some more coherent funding for them and perhaps some more predictable funding.

The ACT Civil and Administrative Tribunal started operation in February 2009. Its intended purpose is sound. It brings together under one roof a large number of tribunals and boards. It consolidates the extensive and significant legal expertise that formerly was scattered across all the boards and tribunals. It centralises and shares resources. It is designed to make the process less formal, less costly and more accessible for clients. It is intended that the procedures and forms should be consistent across all areas.

Unfortunately, those ideals were not met when the ACAT started operation, and some of them are still unmet. The premises were not ready and they will not be ready until, I think, September. The forms were not ready. The procedures were not ready. The staff were not properly prepared for the changeover. There was a lack of synergy between the processes of ACAT and those of the courts, and costs have increased for some users.

I have spoken with a number of ACAT users, both in the legal fraternity and outside, and, to a person—yes, it was actually to a person—they have told me of the frustration of dealing with the ACAT. This is indicative of the government's abject incompetence and failure in dealing with and managing the transition from the old to the new and managing projects and events generally. We have seen this in many other areas, such as the AMC, which Mr Hanson I am sure will deal with, the gas-fired power station, the GDE, the 2003 bushfires and more recent projects.

Any organisation that manages a project or event, or the transition from old to new, will review that management process and the outcomes in order to learn from them and improve the processes the next time around. If this government actually reviews anything, it does not learn from that process, much less make improvements for the next time.

I am concerned because the estimates committee made recommendations that the Attorney-General commission an independent review of the ACT Civil and Administrative Tribunal after 12 months of its operation, including the activities undertaken during the transition period, and the committee recommended that accountability indicators be developed for the ACAT and be reported on in the Department of Justice and Community Safety's annual report 2009-2010. Whilst it has agreed to formulate performance measures, I am concerned that it has only agreed in part, and it is a very poor part indeed, to the recommendations for a review. The government, in its response, agreed to this recommendation but limited it to a review of the registry resources to be conducted by the department after the first 12 months. This undertaking has nothing whatsoever to do with the committee's initial recommendations and it seems that the government has utterly missed the point.

Turning now to the Office of the Director of Public Prosecutions, it is very pleasing to see the boost in funding for the DPP in this year's budget, and I have spoken about this in the past. For a considerable period the DPP has struggled to retain staff, get through its workload and maintain a positive internal culture. The problems facing the DPP were sufficient to move the *Canberra Times* to report that the office of the DPP was in crisis. And indeed it was; it was probably on the verge of collapse. So the additional funding is indeed welcome. My fear is that, again, we have a government acting too late, coming to this far too late. And I am concerned that the situation in the DPP has deteriorated to such an extent that it may be irrecoverable.

Of most concern is that the increased funding does not make the DPP more competitive with its counterparts in other jurisdictions. The draw of higher salaries in other offices will always create a significant challenge for the DPP. This challenge will be helped if it can develop a culture within its office that makes it the employer of choice despite its inability to compete financially with its interstate and federal counterparts. The role of the DPP is crucial and the problems ahead confronting the DPP are significant.

I will just speak very briefly on the issue that was raised in the estimates committee in relation to judicial appointments. I note that the attorney said that there was no role for the committees of the Assembly, and I think that this may be something that we should be looking at in the future.

**MR SMYTH** (Brindabella) (10.30): I will speak to just three issues inside the Emergency Services Authority. I think we have well canvassed the Emergency Services Agency and the movement of the headquarters to Fairbairn. It is financial ineptitude of the highest order that we have spent \$6.34 million on empty buildings. That is what we spent: \$6.34 million on empty buildings, and it is some years before it will be completed.

Secondly, to the Rural Fire Service: it is an absolute shame that in this budget there is no money for a new shed at Tidbinbilla. The minister gave that undertaking earlier in the year when we did the annual reports hearings and third appropriation bill. He said it would be dealt with in the context of the budget. Well, it has been dealt with, and we see the contempt with which the minister holds the Tidbinbilla Rural Fire Service brigade. The brigade headquarters are appalling. They are inadequate, and it is a disgrace that in a jurisdiction like ours they have to work in those conditions for some years still to come.

The third area that I want to speak to is the issue of the Ambulance Service. There was a *Canberra Times* article some months ago talking about disquiet inside the Ambulance Service. The minister and the head of the ESA simply made light of it and dismissed it, but the report from the Auditor-General clearly shows that people should have concerns about the way the Ambulance Service is being run.

It is interesting that these issues have appeared in the time since this government got rid of the independence of the Emergency Services Authority. The pulling back inside of JACS of the ESA was a mistake then, the ambulance report confirms that it is a mistake now and I think the government should have a good hard look at that decision. The notion was that somehow it was financial mismanagement, but you can still see that the ESA is running deficits. It was not financial mismanagement; it is not being funded to the tasks being asked of it by the government. Certainly, I have seen letters that indicate that there were arrangements that simply said: "Do this job. If you need more money, we will get it out of the Treasurer's advance." Yet that was then concocted into a confection that simply said, "You can't run your own budget; therefore we will pull you back inside the department." But the pulling back of it into the department has not helped, because we can see that we are not meeting standards and we are certainly not meeting budgets in that regard.

The ESA is very important. All the arms of the emergency services, whether it be the SES, the Fire Brigade, the Rural Fire Service or the Ambulance Service, need all the support that they deserve to be able to do their jobs properly. If we look at the ESA headquarters, the Tidbinbilla Rural Fire Service shed and the Ambulance Service report from the Auditor-General, they clearly show that the arrangements that the government has in place do not work.

**MR HANSON** (Molonglo) (10.32): I will turn to two issues under the portfolio, police and then corrections, so that Mr Hargreaves has time to sit down. Turning to police, the first issue I want to cover is that of the election commitment the government had to spend \$300,000 on suburban policing community consultative committee trials.

I was somewhat disturbed during the estimates hearings to hear that this money that had been pledged by the government for this initiative, which the opposition did not support because we thought that this was not an appropriate use of the money and that it could be better spent elsewhere, is now having to be found out of the police budget. So \$300,000 is going to be taken out of front-line services and put into running those consultative committees. It was not made clear to us exactly what services are going to have to be cut elsewhere—because you cannot just find \$300,000 magically to fund a program like this. It is going to have an impact on the service, and we still do not know where that is.

Another line item in the budget is that of the Gungahlin police station, the 24-hour service that is going to be run there. This has been opened with great fanfare and it is worth noting to the Assembly that this has actually been reopened; that this is a government that closed that service, very quietly, and then reopened it with great fanfare. It is worth noting that fact to the Assembly.

It is difficult when you look through the budget to find out what is going on with police. We do not get the strategic indicators that you do across a number of other line items. So recommendations 108 and 109 of the estimates committee call for greater clarity in what is actually happening in that department and in the portfolio and we really do not know what it is.

On the issue of crime statistics in the ACT, there was a report tabled today and I note that over the last couple of years there is a significant increase in some categories, but I would like to turn specifically to drink-driving because that was discussed in some detail in the estimates committee. There is a real problem with drink-driving in the ACT, and this government's response was to name and shame. That was a policy that seemed to be cooked up, ad hoc. There is no strategy to deal with this problem. This is not new; these rates have been increasing over the last three or four years and this government has failed to deliver to the people of Canberra a strategy to deal with such an important issue.

I would like now to turn to the issue of corrections. It has been anything but an incident-free portfolio this one. It is costing us now \$24 million a year to run the jail. It is a portfolio area that is just going up and up and up. Indeed, since 2005 in real terms we have had a \$30 million increase in the amount that it has cost us to run our corrective services. If you have a look at the number of clients, prisoners, detainees and so on, since 2005 we have had a marginal increase in the number of prisoners but we are paying \$13 million, so it is \$13 million for 25 detainees. I will just quote what Minister Hargreaves had to say—

**Mr Hargreaves:** These are wise words coming.

**MR HANSON:** I will not now; I cannot bring myself to do it. It is so incoherent. I have got another one from you later on that is even worse.

What we have got now is a jail that is costing \$24 million but it is only half full. So I have been calling for some time—

**Mr Hargreaves:** It could be half empty.

**MR HANSON:** I am a glass half full man myself, and I appreciate that this is very much a glass half empty government. But what I have been calling for for some time is for the minister to actually pick up the phone, have a conversation with his counterpart in New South Wales and say, “Can we start to look at bringing your prisoners to the AMC?” There are a lot of very good reasons for that in terms of rehabilitation and the closeness to families and the money that we could save. The reason it is costing us so much per capita, per head, for our prisoners is that the AMC is half full—or half empty, whichever way you want to look at it. In explanation of this—this is a good quote—Minister Hargreaves said:

I don’t think we should be doing anything about increasing the numbers until we are 100 per cent confident they’ll receive excellent service.

I’m 100 per cent confident our people will be receiving that service and then I want to make sure I can say that same thing in 12 months time.

I do not know what that means. Is the jail good to go or is it not good to go? Have we got prisoners in there and it is a good jail that has got all the problems fixed or is it not? I do not know. Maybe the minister, in response, can tell us quite where we are at with that jail. We know that we have had recent reports of drug paraphernalia, razor blades, drug tests and so on, and the minister can talk to that. I am very disappointed to hear that; I really am.

Regardless of the criticism that I have had about the process of the Alexander Maconochie Centre, we all wanted to see it work as best as it could and we were hoping that we would not see these sorts of incidents. It is a terrible shame and I would like to hear from the minister exactly what is going on out there at the Alexander Maconochie Centre and what is being done to make sure that we do not have the same problems that we had at the Belconnen Remand Centre with relation to drugs, razor blades, violence and so on.

The Alexander Maconochie Centre itself, in terms of the overruns, has been a project that has been plagued by problems. We know that the prison still has a number of security defects. We know that there are still elements to the security program that are to be delivered, in particular the RFID. We know that the prison had a number of teething problems, as they are being called by the minister, in terms of heating, food allocations and so on. So this has not been a portfolio without its fair share of problems; let us hope the minister can explain it to us in his time allotted.

I would like to note that it was somewhat unfortunate at the estimates hearings, the debate that ensued. I am prepared to take my fair share of responsibility, as I hope the minister will, but what I call on you to do in your allotted time is just to explain to us where we are at with the current state of the Alexander Maconochie Centre, where we are at in terms of the drugs and other paraphernalia that have been found and where we can go going forward. And could you please respond to where we are at with the New South Wales prisoner issue? It is a lot of money that we can save and I would have thought that, if the jail has 160 of our prisoners in it and it is good enough for our prisoners, it should be good enough for those from New South Wales.

**MR RATTENBURY** (Molonglo) (10.41): I would like to speak about both the legal side of justice and community safety and, on behalf of Ms Bresnan, on the corrections elements. I will just touch on a couple of elements of JACS in the time that is available. Firstly, on community legal centres, I would like to note the recommendation by the estimates committee, recommendation 101, around the review of funding arrangements for all community legal centres prior to the 2010-11 budget. This is a very good recommendation.

We know that community legal centres operate on an absolute shoestring more often than not. We have seen the example in this budget where the Women's Legal Centre has not received the funding needed for its Indigenous liaison service. The Women's Legal Centre will now struggle to maintain its liaison officer position and will certainly not be able to provide a qualified lawyer as part of improving the program. This seems a shame, because the reason it was applying for extra funding was that the program has been successful in building the numbers of clientele and reaching out into the community. Surely these are the community groups that we should be encouraging to develop—groups that successfully provide the services that government often cannot.

Why is this issue important? The key here is the gap in services. There is a massive group of people who do not qualify for legal aid but cannot afford the full costs of a lawyer. Certainly I have heard anecdotes about people who have received legal bills nearly as much as their settlements at the end of, perhaps, a divorce matter. I even heard one anecdotal case where the lawyer withdrew near the end of the case because the likely settlement would no longer cover the fees. These are obviously some of the more serious examples, but they point to the dire situation in terms of the unmet need for legal services that exists in our community in many places.

There is also a gap for community legal centres between commonwealth funding and that of the states and territories. We have seen that exchange in this place over the past week: the states and territories and the commonwealth point at each other, and the community organisations get stuck in the middle, spending way too much time worrying about how they might stay afloat and where they might get the next grant from rather than providing the services that their clients rely on.

I would like to now turn to restorative justice. I would like to speak about this briefly because it is a very good success story as part of the JACS program. Currently the restorative justice program is available only to juveniles. The Greens would like to see it expanded to include adult offenders, and we look forward to seeing the government move forward on that.

The government is to be congratulated for implementing this program; the figures on the effectiveness of the program have been very heartening. Through questions on notice, we have been able to ascertain that over 89 per cent of all victims say they were pleased or very pleased with the outcome and 91 per cent of offenders say that they would recommend the program to others. Having that sort of response rate on both sides of the equation, to frame it as such, points to the real value of such a program.

On CCTV cameras, the Greens welcome the funding of CCTV cameras in Civic, Manuka and Kingston. The Greens are very concerned about personal safety for people in these key entertainment parts of Canberra. We probably all saw the reports in the *Canberra Times* at the weekend about alcohol-fuelled violence and the fears of young people, particularly, heading out to these parts of town at the weekend. It is a real issue that all of us in this place need to pick up and take very seriously. I remain very concerned that areas of Civic, particularly, are not safe, but there also appear to be fewer and fewer people frequenting these areas at night time, with a loss of public surveillance. We need to explore what measures can be taken to encourage people back into the heart of the city to make the city safer for everybody.

I would like to speak about recommendation 104 relating to the Government Solicitor. The estimates committee recommends that the government review its policy in relation to the criteria for seeking the advice of the Government Solicitor on contracts with the territory. Given the interesting discussion we had in estimates, I think that this is a very good recommendation. I am glad to see the government has agreed.

The additional resources delivered to the Government Solicitor's Office to deal with infrastructure projects seem prudent. Whilst this is an iterative process, it became clear during estimates that the decision making is devolved to either Procurement Solutions or individual agencies when it comes to deciding whether to engage the Government Solicitor's Office or not. With this devolved process, having a whole-of-government approach seems rather sensible in order to ensure some consistency and manage the territory's risks as effectively as possible. I think that grey zone needs to be hardened up a little bit.

Mrs Dunne spoke about magistrates but I did note the discussion in estimates about the vacancies for magistrates. It is essential that we have timely appointments and that this does not get dragged out. We are facing significant challenges with our court systems at the moment as the government seeks to, I think rightly, finetune the system. Being short of magistrates is one problem that I think we can foreseeably avoid, which will ensure that we place less strain on the system.

I would now like to speak briefly about corrections, as I said, on behalf of Ms Bresnan, in order to fit us within the time limit. The ACT Greens recognise and support the significant levels of funding that the ACT government has appropriated to the development of the Alexander Maconochie Centre. We applaud efforts by the government to ensure that our remandees and sentenced prisoners are detained in an environment that meets human rights requirements.

But the road over the last year has not been smooth, as Mr Hanson touched on; there have certainly been some bumps along the way. For example, the government's unwise decision to formally open the AMC just before caretaker began is one that with hindsight a few people would probably do differently. The department probably knew that the AMC was not ready to open; whether or not ministers and their staff knew we will probably never really know.

The financial cost to the ACT government from the construction delay is still not known publicly. We note that the answer to Ms Bresnan's question about this is yet to

be answered. While we applaud the government for developing the prison, we do not excuse them from acting in a manner that is contrary to good governance.

The other bump in the road is the failure to provide adequate access for community groups to the detainee population. This access should have been in place as soon as prisoners entered the prison. The ACT government initially made its commitment to the provision of through-care and after-care services in conjunction with the community sector in 2004, when the Chief Minister made a ministerial statement in this place in regard to the prison development.

Subsequently, forums to discuss the manner in which the community sector would service the AMC population were hosted by ACTCOSS in 2006, the Community Inclusion Board in 2008 and Corrective Services ACT in 2009. But despite five years of talking about it and the prison already being open, community groups still do not have the access they require to service the detainee population, nor do they have any funding to do so, be it now or in the future.

The provision of community services to the AMC population during their detention and after their release is vital if we want to reduce their likelihood of reoffending, and that is clearly a large part of the philosophy of the AMC. We have been told by ex-prisoners that when a person is serving their time they are focused on survival. It is not until after their time has been served that they are willing to open up and address their problems. By this stage, their parole order is likely to have ended and the only people who can help them with issues like housing, addiction or financial management are the community groups. That is why it is so important that the community groups can get in there and form a relationship with the detainees before they get released. Until such time as the community services are in place, prisoners are missing out on the full opportunity that can be provided. The Greens hope to see this remedied in the next budget.

**MR HARGREAVES** (Brindabella—Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections) (10:50): I would like to say many things about this particular part of the budget but I will just address some of the issues that were brought up by Mr Hanson and by Mr Rattenbury on behalf of Ms Bresnan.

Firstly, I will go to the last point: community groups. Wrong—totally wrong, completely wrong. There are 30—three zero—groups that are accredited, and they have been for quite some time. They are getting access, with over 100 individuals wandering in there. It is almost one each—one to 1½. That is what I call plenty of service.

**Mr Hanson:** That is because your bloody jail is not—

**MR HARGREAVES:** You wanted to fill it up. There is a cell with your name written on it ready for you. It has got a flat-screen TV in it just for you. And it is flat just for you.

**MADAM ASSISTANT SPEAKER** (Mrs Dunne): Mr Hargreaves—

**MR HARGREAVES:** Madam Assistant Speaker, I remember your ruling. Through you, Madam Assistant Speaker, I want to address some of the issues that Mr Hanson was talking about. He was talking about two major ones, as I understand it. I think I have just got time to address those two. One was about the drugs paraphernalia and the other one was the New South Wales opportunity. I will go to that one first.

I said, and I will have to paraphrase it a bit, “I will look at it after the place has been open for about 12 months, in the same way that we are talking about any other trial of new things that we are going to go on.” I want to make sure, for example, that all the building warranty things have been ticked off. I want to make sure that the exit strategies, where we talk about the programs into the community post release, are working. We have got to make sure the transitional release is working. It is all of those sorts of things.

I looked into this particular issue 10 years ago, when I was the shadow corrections minister. It is not as straightforward as ringing up corrections in New South Wales and saying, “Would you like to send somebody here?” We have got a couple of issues. Jurisdictional authority is one; it will probably require a change in legislation for the ACT side as well. The point is that that takes a bit of time. I have said on the record, “Give us 12 months and then we will see how we are travelling.” That is what is going to happen. Whether you like it or not, that is what is going to happen.

With respect to the drugs paraphernalia, we believe that the items were brought in from the other institutions, and it is suspected that they were brought in internally. We do not at the moment have in operation a machine called the SOTER system. The SOTER is an X-ray system. That is currently with the Radiation Council for them to clear. The technical part is clear but the ethical part is yet to come in. Once that SOTER is done—we believe that that probably would have prevented the entry of that stuff into the centre.

**Mr Hanson:** Why didn’t you do the audit of the security systems like that before moving in?

**MR HARGREAVES:** The SOTER technology was submitted to the Radiation Council months before the prisoners were accepted.

**Mr Hanson:** But it was not ready to go.

**MR HARGREAVES:** I have given Mr Hanson the explanation, Madam Assistant Speaker; I am not going to go down there very much further at this particular time. We can have a conversation about it in more detail some other time.

It is an inalienable fact, though, that we transferred all the ACT prisoners into the AMC. We have brought our interstate prisoners home; we have closed Quamby; and, importantly, we have closed forever the Liberal Party’s preferred jail option, the former Belconnen Remand Centre. The Leader of the Opposition did not want it; Mr Smyth did not want it. To Mr Hanson’s credit, he did want it, but he wanted it quicker. And now he wants to fill it up. I wish they would get their story right.

Madam Assistant Speaker, there is a fact: the Labor government is treating people with compassion. We want to restore people and rebuild them. We want to give them back a life. Some of these people never had one: from the day they were born, they were destined for the judicial system. We want to change that around and give them a life again.

In ending so that my colleague Mr Corbell can have some time to have a chat to you people, let me say that it is open now and it has got people in it. We are actually doing something for somebody. If you don't like it, suck it up.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.54): This is a strong and good budget for the justice portfolio. Members have mentioned a range of initiatives that are already underway and that are designed to further strengthen the delivery and the administration of justice in the ACT as well as provide a comprehensive level of support and ongoing building of our emergency services and policing capability.

Community safety is a strong focus. The money set aside for the closed-circuit television monitoring builds on the very significant investments the government has made in previous budgets to enhance and expand the closed-circuit TV network here in the territory. That funding will make sure that the CCTV network is now monitored at peak times in the city and, for the first time, at Manuka and Kingston.

That capacity basically puts at least another police patrol on the beat in our city centre, in Manuka and in Kingston. This virtual patrol—real-time eyes of police watching the activities in these areas and assisting to deploy police resources to potential trouble spots—is an important initiative in helping to try and improve safety and security for everyone who enjoys our city centre, not just during the day but especially at night.

The funding for the Director of Public Prosecutions is a particularly important initiative. Some \$3.4 million recurrent over four years will deliver eight additional staff, including six additional prosecutorial staff for the DPP. The DPP performs a vital function. Its work is central to the administration of justice. It needs to have the resources available to do that job.

The government is also moving ahead with significant investment in the future structure of our courts. We are a small territory; our court system is compact and well understood. There are opportunities to further streamline, at the very least, the administrative arrangements as well as consider the possibility of the enhancement of the court structure with the establishment of a single court for the territory with different divisions to deal with summary, trial and appellant functions. These are options that the government will provide \$100,000 for in the coming financial year—to allow this assessment to begin and to engage with all stakeholders in the legal community.

The government also is moving ahead with important measures to enhance community safety, in particular through the responsiveness and the capability of our

emergency services. Funding has been provided for the Jerrabomberra and Rivers sheds upgrades, an upgrade of two of our largest volunteer brigades in the territory, both SES and RFS. That funding ensures that the recent expansion in the fleet allocations to those brigades can be accommodated as well as improved training and administration and storage areas.

**Mr Smyth:** Poor old Tidbinbilla missed out.

**MR CORBELL:** I note Mr Smyth's critique about Tidbinbilla. It is simply the case that we need to find an appropriate alternative location for the Tidbinbilla shed. This is not an easy process in what is a very sensitive area of the territory in the Tidbinbilla Valley area. I have met with representatives of the Tidbinbilla brigade and discussed the issues with them. The ESA is working right now on the long-term identification of that site for Tidbinbilla so that, hopefully, we can provide funding in a future budget.

There are also very important investments in other parts of our emergency services. The upgrade of the community fire units program—an additional 12 community fire units, the implementation of a Labor election commitment—is a very important commitment for this government. Those 12 units will extend community fire unit coverage into the Tuggeranong Valley and a number of other key sites around the city.

Community fire units perform a very important function in training and educating householders on how they can undertake property protection—to protect their properties against ember attack, against fire attack. It also helps build social capital in those suburbs. It is remarkable going around and talking to community fire unit members, as I do. Without hesitation, and repeatedly with different fire units, they say, “The best thing about this is that we know people in our street; we know people in our neighbourhood.” That social capital is so important in an emergency. I know that Ms Porter would vouch for that, given her very close involvement with the Hawker unit.

There is a range of other initiatives, important funding. There is \$4 million for the design of a new Supreme Court. The Supreme Court must be replaced; we must have a new and modern facility. This design work will allow that to proceed as the government finalises consideration on the appropriate site for a new Supreme Court.

Finally, there is very important funding for Neighbourhood Watch. We were delighted to provide funding for Neighbourhood Watch, to invest in this important scheme for many Canberrans and to support the administration and activities of that particular group.

This is a strong budget for the Justice and Community Safety portfolio, one that builds on this government's reputation of building a responsive, progressive justice system and well-resourced and effective emergency services.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.15—Department of the Environment, Climate Change, Energy and Water, \$23,012,000 (net cost of outputs), \$3,660,000 (capital injection) and \$1,301,000 (payments on behalf of the territory), totalling \$27,973,000.

**MR RATTENBURY** (Molonglo) (11:01): The budget process for the Department of the Environment, Climate Change, Energy and Water was, I thought, somewhat symptomatic of a new department that was still undergoing some internal processes relating to its establishment. Even the minister acknowledged that there needed to be some work done on the strategic indicators for the new department. I suspect that, as the department finds its feet under the guidance of the chief executive, Mr Papps, there will be increasing clarity on a number of issues surrounding the establishment of programs and accountability measures. But I imagine that it is no mean feat to reorganise a bureaucracy and determine its strategic direction, so I look forward to seeing some of these issues resolved over the year ahead.

I do think that the overarching difficulties with distilling detailed information from the budget papers was especially relevant to this portfolio and, as I said this morning, I would encourage the government to review their response to recommendation 9 in the estimates report and give consideration to how the budget papers could provide further information about programs from year to year.

An example of where there was a lack of continuity between last year's budget papers and this year's was the switch your thinking program. I noted that in last year's budget the switch your thinking program had funding in the outyears to 2012 of just over a million dollars per year. Yet in the estimates committee the minister seemed confused when this information was presented. Instead, he confirmed that the funding for the program would cease at the end of this financial year, which begs the question: what happened to that outyear funding indicated in last year's budget of \$3.4 million? Given that last year's budget indicated that money had been appropriated, where did it go? Perhaps the old switch your thinking did not include the rebates. Perhaps that money went to some other program.

I note this not to make accusations that the money has not been wisely spent but to highlight how the budget papers are distinctly unclear about what has happened to the programs that are ongoing or have been funded in the previous year's budget. I do believe this would improve accountability and transparency in the budget process.

In regard to the government's flagship program this year, the switch your thinking program, I was pleased to see that the government had agreed with recommendation 48 in the estimates report. This recommendation calls on the department to develop and report against indicators which will actually measure energy and water saved and greenhouse emissions reduced. The Greens are pleased that the government has agreed with this recommendation. We have high hopes for this program and are looking forward to seeing it rolled out.

There are a number of things that this program is designed to address—not just energy efficiency but also water efficiency in the home. The intent is to make it easier for Canberrans to put the measures in place to save on both water and energy, something that many of us do not easily get around to doing.

I do want to take a minute, though, to focus in detail on what the government is expecting so far to spend this money on, as during the estimates process we received

the first indication of the breakdown of the program. My main concerns with this program are twofold. Firstly, the government are spreading the funding for this program too thinly. They are trying to do too much, and with not enough money. Secondly, the government are wildly under-resourcing these programs.

On energy efficiency, we see that the government are foreshadowing a number of rebates. There will be 750 rebates on energy efficiency appliances. There will be 400 rebates on domestic insulation and there will be 250 rebates on solar hot water. The total expenditure for these is estimated at \$1.24 million.

Then there is another program that will target low income households and renters. There are 800 rebates for additions to homes to save energy and 650 rebates for renters of consumer goods, with a total expenditure for this program of around \$465,000. All up, that is around \$1.7 million for domestic energy efficiency rebates and incentives, which it is worth noting is less than half the climate spending at the arboretum in the next financial year. It is also less than the \$19 million to help householders reduce their emissions footprint, as the minister said on radio this morning.

I think it is also worth noting that, whilst these are good initiatives and good starting points, when you put those numbers up against the number of households in Canberra, it underlines the scale of things we have got to do. It is certainly not going to be enough to get the wholesale switch towards home efficiency that Canberra needs and that we know will deliver the best and cheapest form of greenhouse abatement over the next five to 10 years. I want to make this point quite strongly: these are not the kinds of amounts of money that indicate that we are really taking this problem seriously.

Putting energy efficiency measures into people's homes is infrastructure. It improves their quality of life, it reduces energy bills, it improves our energy security in the longer term and, of course, it cuts our greenhouse emissions. It might seem small and unimportant because it occurs on such a micro scale, but we need to start approaching this problem with the macro thinking that we apply to large infrastructure and we need to start allocating budgets to match. I note that, for example, next year we are going to be spending \$147 million on roads in the ACT.

One of the issues that the Greens will be raising with the government is whether or not the department is indeed the best body to implement the programs that have been funded and whether or not the funds allocated could be better spent leveraging funding from the federal government or delivering incentives to consortia and small businesses to implement the efficiency measures for households. It may well be that the provision of rebates will indeed inspire small businesses to get established and take advantage of the rebates on offer from the ACT and federal governments, but it would be useful, I think, for the department to think outside the square about how to leverage the best bang for buck on this program. A bit of innovation may see some really dramatic improvements.

I would like to comment, though, that the Greens were pleased to see the consideration of low income households and renters in the switch your thinking program. There is no doubt that more money could be spent on this as well.

One of the recurring issues in climate policy in the ACT is that of cost-benefit analysis. Each year, as we review the budget and the annual reports, we will be asking questions. Is this the best way to spend the money? Are we getting the most abatement for our money? What else are we getting besides abatement? I am pleased to hear that the government is undertaking some cost-benefit analysis of climate change policies in preparation for setting the energy policy. I think, with the roadmap to zero net emissions, it will be crucial to prioritise our climate spending over the next 10 years.

The switch your thinking program also touched on water efficiency. One of the programs close to my heart, is the idea of sending plumbers to people's houses to undertake water audits and do some minor repairs and installations to improve efficiency while they are there. This year the government has budgeted just \$565,000 for this and anticipates being able to provide 100 water audits and 1,300 toilet rebates.

To put this kind of budget in context, the people of the ACT are about to outlay \$360 million on two water security projects, the Googong pipe and the Cotter Dam. We are still a long way from giving the priority and balance to domestic water efficiency programs that we should. It should not be too expensive for the government to meet the commitment to make the ACT a water efficient jurisdiction. The ALP-Greens agreement had an item that referred to this program. I will read it to you:

Implementing the 'Plumber Visit' program ... to at least 25,000 houses over four years ... concentrate on government and low-income households.

If we do the maths on that—and I know the government is doing this the hard way—it is going to take us a very long time to reach 25,000. But these are the sorts of measures that are cheap and effective.

On waste, Ms Le Couteur has already spoken about this under TAMS but I want to make a quick comment. The waste budget has been consistently underfunded and continues to be so. The Wright review of the no waste strategy warned that the growing quantities of waste in the ACT mean that it is an unacceptable expectation that the ACT government can consider reducing or even containing at current levels the current budget. I refer members to Ms Le Couteur's more detailed comments on waste on Tuesday night.

On one small part of the waste stream, I welcome the \$85,000 allocated to the government's consultation on plastic bags. I note that the government has received advice not only on a levy on plastic bags but also on the legality of a ban and possibly some other options. The minister applied quite a level of brevity in answering the question without notice; so I look forward to seeing that legal advice so that all members of this place can contribute to the policy debate about plastic bags from the same informed position as the minister's.

Lastly, I would like to make a brief comment about grants to environment groups. While the government has continued funding to three of the local environment groups, it was instructive to hear some of the comments made by these groups in the estimates

hearings. A spokesperson from the conservation council, the ACT's peak body and advocacy group, said:

We are almost always broke all the time ... we have a major fundraising campaign, like all NGOs, to raise funds.

The Environment Centre staff confessed:

We dive under the desk every time the ANU come around.

This was in regard to the five-year lease the Environment Centre has yet to sign with the ANU. I think this is a real shame. If there is one thing we know, it is that our community groups can run incredibly effective programs on the smell of an oily rag. It is really important that we do not lose these programs, such as the Richardson primary school garden, the harvest festival and e-ways programs because of the shortfall in funding.

**MR SESELJA** (Molonglo—Leader of the Opposition) (11.11): Madam Assistant Speaker Dunne, in the time available, there are a few areas which I would like to touch on. I know that you will be speaking to this issue as well. The issue of the zero net emissions target was something that we heard a lot about during the estimates process. I think it is fair to say that what we saw was an announcement with very little, if anything, to actually back it up.

We asked about agencies moving towards zero net emissions and about the ACT moving towards zero net emissions, and it seems to me, from the questioning, that the statement was one of those aspirational statements with really nothing to back it up. We need to be careful not to just have tokenism in these areas. It might get Mr Corbell a nice headline when he says "zero net emissions", but when you have got no actual plan to get there you do have to question why you would bother to make the announcement. If you want to say it is an aspiration and you are very clear that you are not setting out a path on how you are going to get there, that would be one thing. But to make the statement without anything to back it up, I think, does call into question the usefulness and the value of such things.

We heard a bit about the arboretum and it being a climate change measure. Obviously, this has been discussed today in the media but we saw, even with the carbon sequestration study which was tabled today in the Assembly—and I have only had a brief chance to look over some of the document—how little, in fact, the arboretum will do in sequestering carbon. We saw in the carbon sequestration study that it was clear that the urban forest, as far as trees go, is far more effective than the non-urban and that, indeed, the arboretum would make up such a small amount of that. I think it is about being honest about what these measures are for.

In regard to the arboretum, which we always believed was not money well spent, the intent was never about climate change. Let us face it, the intent was tourism. That is in and of itself a very worthy goal. We do not believe it is a great use of taxpayers' money. We do not believe that an arboretum in a drought was the right way to go, particularly as we have other arboreta around town, some of which are not being

looked after as well as they should be. Of course, when we have seen a lot of our urban street trees being allowed to die because they have not been watered, you do question the spending.

But putting those concerns aside, it is not being up-front to suggest that what this was about was a climate change measure and to lump that into your climate change strategy and pretend that that somehow is a major part of it. It is certainly a major part of the spend. It is a major part of the spend that is claimed towards the measure, but I think it is very questionable what the actual effect of it is. We saw that with the carbon sequestration policy today.

I also want to say a few words about the no waste policy. I believe it was this minister who stated that no waste remains the broad objective of the territory. If that is the case, then I think much more needs to be done. I think no waste was a fairly visionary policy. I think we can compare no waste to, say, the zero net emissions target. I think that no waste had a plan. They always knew the last part of the plan was going to be hard, that the last five or 10 per cent was going to be particularly difficult. But there was a plan and we saw massive gains as a result of putting that strategy in place. What we have seen is a real stagnating over the last several years. I think in some years we have seen it actually go backwards. Then we have even seen some of the targets go down, to match the poorer performance.

It was interesting—and it was not in this portfolio, obviously—that this was also discussed with the Minister for Territory and Municipal Services. He cited asbestos. The Chief Minister, of course, is backing away from no waste and he cited asbestos: “There is no way of recycling asbestos and therefore we cannot get to no waste.” But when asked to account for how much asbestos makes up of the overall waste of the ACT, that question was not answered there. There are a lot of questions on notice to go through. I have not seen whether that has come back. It might have been in the large pile that was delivered this afternoon. But I do not imagine that asbestos makes up a large proportion of waste going to landfill in the ACT.

It seemed like a bit of a smokescreen to hide the fact that we are not moving towards those targets. In fact, we have stagnated for some time. That is disappointing, given how far we had come. And of course, looking at things like green waste recycling and how we do that better has to be part of how we get there.

We saw also the issue of office smart and business smart programs. I think there are a number of worthy initiatives there to encourage recycling but, clearly, that is only going to be a very small part of the equation.

The issue of plastic bags, I think, was an area of concern for us. In making this agreement on plastic bags, the government clearly had not done its homework. The government and the Greens, perhaps, had not done their homework in looking into the issue of whether it is constitutional. It would appear to me that the minister was a bit cagey about it. I have not seen that answer to that question on notice, which I think Mr Rattenbury was referring to, but in the initial answers it was a little bit cagey and I suspected that the advice was pretty strong that it is not constitutional and that the plastic bag levy will not go ahead. But it does call this into question.

I think that the people of the ACT would probably expect that, when these commitments are made, political parties actually do the basic research to look at whether that is something they can deliver on.

I want to say something briefly about strategic indicators, because that was discussed at length in the committee. In fact, the committee noted that DECCEW has the least effective strategic indicators of all departments. I would note that there is an openness to take the recommendations on the part of the minister and the department, and we welcome that.

I think the other thing that I would say in relation to the minister and this department is that the minister was, perhaps aside from the plastic bags issue, reasonably forthcoming with answers. I think that Minister Corbell was more forthcoming than a number of his ministerial colleagues in giving reasonable answers. He did not have to defer to his officials as much as we saw from some other ministers. The Chief Minister and TAMS, in particular, did not seem interested in answering any questions. Mr Hargreaves, in a number of his, did not seem to have the answer to some pretty basic questions. So I would commend Mr Corbell at least for his performance in part of the estimates committee in relation to environment. There were some fulsome answers given. We in the opposition certainly appreciate that. But I think, to give Mrs Dunne a little more time, I will leave it there.

**MRS DUNNE** (Ginninderra) (11.20): Mr Speaker, as both you and Mr Seselja said, this is a new department which covers important issues for the ACT. Many of the agencies and functions were buried away in a number of agencies and it is useful to have them brought under one roof. This is something I applaud. Like Mr Seselja, I applaud the minister for his willingness to take the recommendations of the estimates committee seriously. The government responded to every recommendation in relation to this department as either agreed, agreed in part or noted, and full supporting arguments were also given. I look forward with anticipation to the enhancement of the accountability indicators over the next 12 months, as both you and Mr Seselja have said. Also on the bouquet side of the ledger, like Mr Seselja, I want to thank the minister for giving fulsome answers to some quite detailed questions on notice. I hope this augurs well as a positive sign for future information sharing across the chamber.

It is worth dwelling on two or three of the major items of expenditure, particularly on the water side, but there are a couple of others as well. The \$13.9 million over two years for the integrated urban waterways program for the construction of two new wetland ponds in Dickson and Lyneham is welcome and is an augmentation of the already commenced program. This has a whole range of benefits, not least of which is the removal of the rather ugly “concretised” parts of Sullivans Creek. I hope that this will be a successful venture and over time we will see considerable improvement in our stormwater system across the ACT, and not just in relation to Sullivans Creek. The area around Curtin could be, if nothing else, substantially beautified by the removal of that unnecessary concrete. It seems that we have moved on in our approach to stormwater management over the years.

Other issues of concern for me are the \$2 million for the tune-up Canberra program for improving the efficiency of commercial office buildings, and the \$1.9 million over

four years for the switch your thinking program, which deals with rebates, incentive programs, information dissemination and guidance on environmental efficiencies at household level. This, Mr Speaker, as you have rightly pointed out, covers both energy and water use. Like you, the Liberal opposition and I are concerned that, while is a good-intentioned program, the government is spreading its resources too thinly by trying to cover too many bases.

I noted during the election campaign when the government announced the basis of this policy, which seemed to be in response to the Canberra Liberals rollout of a policy that provided home insulation for those who needed it and also water tune-up initiatives aimed at low income people, that their policy was a poor imitation of ours; it was aimed at a catch-up. We looked very carefully at the sorts of things that we should roll out and we tried to provide best bang for our buck. We came up with the water rebate and the rebate for installation of home insulation because that was going to give people the best capacity to reduce their water and energy consumption and also had the add-on benefit of improving the quality of their housing in so doing and increase their long-term energy security.

I think that over time if we do manage to have improved accountability indicators and if the government really is serious about having effective policy in this area we will see a gradual shift to something which is more effective than dissipating our efforts in a whole range of tiny little programs, where I think you just do not get your bang for your buck. It is a perennial besetting problem of public policy that there are so many demands on you for an initiative here and an initiative there that you feel that you are assuaging everybody by having a little program. Sometimes it is just better to bite the bullet and say, "No, we will concentrate on an area where we know that we will get a much better result." Had the government been disciplined and concentrated its efforts on a real water tune-up program and an effective insulation program, I think you would get much more bang for your buck.

I noted with interest the minister's confirmation given in the estimates hearings of the change in the government's policy in relation to water tanks. Rebates will now again be available for tanks with internal connections as well as tanks with no internal connections. This is probably a good policy. I have put on the record my views that tank rebates are probably not necessarily the best way to go in an inland city like Canberra, that there are many other efficiencies that we could put in place. Given that the water that is collected in tanks normally runs down the river to other users downstream, we have to look at the unintended consequences of wholesale rolling out of tanks in the ACT. It is not like doing it in a coastal town or city.

I cannot let the opportunity go past without commenting on the government's final agreement, after eight years, to deal with Canberra's water future. After years of denial, mainly by the Chief Minister, we have finally had agreement that there will be a dam, potentially costing the ACT taxpayers more than twice what it would have cost had they got on and done it early in the piece.

The Stanhope government has substantially abandoned the no waste by 2010 project, renaming it the no waste to landfill and calling it an aspirational target. I note that there is money in the budget for this minister to review the policies and I am looking

forward to substantial improvements on the complete inaction we have seen under successive ministers in the Stanhope governments. Mr Wood and Mr Hargreaves have let this policy languish for too long and there are many things that we need to do.

I also note that there was a disappointing lack of success in the rollout of the revolving fund for environmental works in agencies. I think that there is much more potential in that fund. I would encourage the minister to look closely at the way in which the revolving fund operates and encourage his ministerial colleagues to take advantage of that. It is very disappointing that only three loans have been given out under that policy, which has proved so successful in other areas. I would recommend to the minister that he go up the road to the Penrith City Council, which has had—and Ms Porter might recall this—a revolving fund for some time. It is highly regarded and considered highly successful there. It is a model which has had great success in a whole range of jurisdictions. I cannot imagine why it does not work here. Perhaps it is due to lack of will.

I look forward to the release of the energy policy. I hope that in rolling out the energy policy the minister does not fall into the besetting problem that we see with the Stanhope government of coming up with a whole lot of tiny initiatives that give a nod here and a wink to somebody else, but we do not actually turn out a comprehensive value-for-money, cost-effective program that will improve our energy status in the ACT.

This is an important area. There is a lot for this department to do over the next few years. I look forward to a big ramp-up in its performance. It necessarily has to start from a low base. I do not want that to sound critical. This is a new organisation; it necessarily starts from a low base. There is much that needs to be achieved in this area and I look forward to considerable work in energy policy. Could I take the remaining two minutes—

**MR SPEAKER:** You have a further one minute and 15 seconds, Mrs Dunne.

**MRS DUNNE:** I have got a couple of minutes. Thank you, Mr Speaker. In that minute I want to dwell on what I hope will be a much more expeditious rollout in relation to the solar farm. I am very disturbed at the slowness with which this policy is being rolled out. There is a great deal of fanfare about consultation over a couple of blocks of land which may not ever be used for it. I know we are doing something, but the really important issue of coming to a preferred tender is the best part of a year down the track. I am deeply dissatisfied with that. I am starting to become extremely suspicious that we will be having sod turnings for this just before the next election so that we can show what a great solar future we have for us, and we will have missed many opportunities in doing so. In conclusion, I am also looking forward to the minister reporting to the Assembly on the second phase of the feed-in tariff.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.31): This is the first full budget year for the new Department of the Environment, Climate Change, Energy and Water. It is a small but important new portfolio for the territory, designed, as I think Mrs Dunne has acknowledged, to

bring together a disparate range of agencies that deliver fundamental sustainability policy and programs for the territory in energy, water and waste, as well as environment and nature conservation and sustainability policy more generally and, of course, with the overarching issues of climate change and our response as a city to climate change to be addressed.

I note some of the commentary about a number of the budget measures and I would like to respond briefly to those. First, in relation to the commentary about the arboretum and its use as a climate change measure, the point that needs to be acknowledged here is that the arboretum makes a contribution to reducing and capturing greenhouse gas emissions. I appreciate there can be an argument about whether or not it should be identified per se as a climate change initiative but, at the end of the day, it does capture a very large amount of carbon. It has never been claimed by the government to be a major element of our climate change policies, but it is a program that makes a contribution. I think members should acknowledge that.

Indeed, the report that I tabled earlier today on the sequestration of carbon in the territory currently and moving forward to 2025 highlights the fact that it is the plantings that occur in the public estate in the urban area that are going to make the most significant contribution in capturing carbon. Currently, our urban estate holds only one per cent of all the carbon sequestered in the ACT, but over the next 10 to 15 years it will actually capture 48 per cent of the carbon that could potentially be captured for sequestration. That is an enormous effort on the part of the trees in the urban estate and, of course, the arboretum can be viewed in that broader context. I think members should have regard to that.

Secondly, I note the commentary about the switch your thinking program. This is an important new initiative. I note the comments about trying to spread it too thinly. I am very conscious of the issue as well. We need to achieve some level of critical mass with all of the different elements of the switch your thinking program. We will be focusing on achieving that. We will be focusing on making it a worthwhile exercise and an effective use of public money. That is why, in particular, the focus is on lower income households. Assisting over 1,000 lower income households a year is a good and positive thing for the territory and for low income households whether it be in terms of rebates on appliances, energy efficiency improvements, water efficiency improvements and so on.

Thirdly, in relation to plastic bags, there is no doubt that this is a complex area. We are the first territory to consider whether or not we should formally legislate for a ban. Other jurisdictions have done it on a voluntary basis, so they have not engaged the constitutional issues that we are now working through. I think it is unfair criticism to say that we should have thought about all of the complexities of these provisions of the constitution before making the commitment. I would be interested to know whether the Liberal Party thought about any potential constitutional issues with any of their election commitments at the last election and whether they went out and engaged constitutional advice just to check them all out. These are things that governments do when governments are elected to implement programs, and we are working through those issues. I look forward to providing further advice to the Assembly in due course on that one.

Turning to the issue of our investment, there is significant investment in a range of new programs. I have talked about plastic bags so I will not go into that again. In the waste area, the development of a future waste strategy and a commercial waste scheme is an important new piece of policy work that will look at how we can tackle waste that is generated in the commercial and industrial sectors. In particular, over half of all waste to landfill currently comes from the commercial and industrial sectors. There is, in particular, significant food waste which creates opportunities for combustible recycling collection and processing, as well as the e-waste issue, which a number of other members have mentioned.

We will focus very strongly on the development of a future waste strategy in the coming months. I look forward to engaging with members and the community on that, because we do need to maintain the objective of zero waste. That must be the objective for any urban community. That will be reiterated and placed in a context as we move forward with the development of that new strategy.

The government will also be implementing one of its key election commitments to purchase increased green energy for its own operations. We will move to 30 per cent of all our operations powered by renewable energy at a cost of just over half a million dollars, or \$600,000, rising to \$900,000 in the outyears. This significant investment fulfils our election commitment and will result in 8,834 fewer tonnes of CO<sub>2</sub> being emitted as a result of that investment. That very important commitment is an example of a territory leading by example.

I have talked a little bit about switch your thinking so I will not reiterate those points. I will turn, however, to the issues around water. I refute absolutely the claims by the Liberal Party that the government has in any way delayed its consideration in relation to water security projects. The bottom line is the government got formal advice from Actew in 2007 recommending the development and expansion of the Cotter Dam. We agreed to that advice in the same year. So any suggestion that we delayed or obfuscated on that issue is simply wrong. The investments that the government is making in improving water security are very important for our future.

I note, Mr Speaker, your comment: "Well, imagine, wouldn't it be great if we spent all that money on water efficiency in households?" Yes, it would, but are you seriously suggesting that we do not need to also augment supply? I do not think Canberrans would buy that argument. I do not think it can be backed up by the facts. You reach a certain point where water efficiency measures alone, demand measures alone, are not going to address the climate volatility that we face. We also need that supply augmentation.

My attitude is that both are needed. There needs to be a balanced approach. The government is doing that through the water security projects and projects such as the stormwater wetlands project, which is going to capture about three gegalitres of water for reuse. That is very significant in watering sportsgrounds, ovals, school grounds and the Canberra racecourse, for example, EPIC. All of those organisations are going to be able to access that water potentially. That is a good example of alternative supply, a more sustainable form of supply, than some of the investment that is occurring in other areas.

Finally, the government are moving ahead with its solar power facility project. I do not know what Mrs Dunne is saying we should be doing here. We have a detailed probative process in place to make sure that we go the market in a considered, fair and impartial manner and allow all-comers to put forward their best case for the development of a solar power facility. Is she saying we should just throw that out the window? Should we throw the probative advice out the window? Should we throw the process out the window? The government are serious about this project. That is why we have put these measures in place, so that hopefully we do not face the sorts of complaints that can occur when you do not have a robust, impartial and professional process to gauge industry interest and to assess the claims and the bids that industry put forward.

The decision on the preferred developer of that solar powered facility will occur either late this year or early next year. Considering that you are talking about a project worth over \$100 million and to which the ACT taxpayer has committed, through the government as part of its election commitments, to provide at least \$30 million of assistance, it means that we have to get it right. I make no apologies for that process.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.16—Department of Education and Training, \$465,771,000 (net cost of outputs), \$214,821,000 (capital injection) and \$249,702,000 (payments on behalf of the territory), totalling \$930,294,000.

**MR DOSZPOT** (Brindabella) (11.42): There are a number of issues that need to be raised in relation to this line item in Appropriation Bill 2009-2010. We have seen some extraordinary backflips on the part of this government but none more spectacular than the promise of smaller average class sizes. Less than 12 months ago the minister, Mr Barr, was bagging this Canberra Liberal policy. Now we see the inclusion of this policy in this year's funding allocation to the education portfolio with much fanfare.

The only problem is that this diluted, modified version has many flaws in the current climate; namely, how to recruit 70-plus teachers in a very competitive market. The minister failed to convince the estimates committee that he will be able to recruit these teachers which he needs to fulfil his budget commitment of reducing class sizes. Despite his budget commitment of \$28 million, there will be no guarantee that all children in ACT schools are, in fact, in smaller classes.

The minister even admitted that some classes in some schools had classes up to 32 students. I support the committee's recommendation No 89 to include clear and concise information about planned class sizes, including the number of classes which exceed 21, 25 and 30 students in future school census reports. The class sizes backflip has been closely followed by another in a very short space of time—the inclusion of non-government schools in the Shaddock review into special education. I have spoken already today on this extraordinary change of heart and the not-so-subtle message it sends to the non-government sector.

I am sure that the non-government sector and many voters will not forget the minister's remarks on 22 May in the estimates hearings when he referred to non-government schools as "blazer schools". The budget papers do not explain the breakdown of funding to non-government schools at all. It is almost impossible to understand the exact breakdowns of this funding, where it comes from and in what proportions.

I have sought for my own benefit a briefing on the exact breakdown from Treasury on this funding but their advice is that the department of education is better placed to provide this information. Again, being pushed from pillar to post is how it seems to be and we have been waiting on this information and for this briefing for some time. It was only late this afternoon that we received notification that there will be a briefing on this.

Further confusion on this subject occurred when the minister himself advised in response to an alarming media statement relaying that special purpose payments were revised down by \$20 million and that \$2.5 million of this is funding for non-government schools, that this really was nothing to be alarmed about, that estimates are consistently overstated and that variances of between \$9.5 million and \$13.3 million less than actual funding had been received in the past for non-government schools.

This illustrates the difficulty in ascertaining simple information, information that should not be this hard to understand. Another issue of contention which is worth noting here today is the Labor Party advertising on government-owned facilities such as schools. The committee noted with concern that the minister's staff had inquired about the use of a school to film an ad on behalf of the ALP when this approach should have come from the ALP itself. The practice of using taxpayer-funded facilities to film political ads is completely unacceptable.

I wholeheartedly support the committee's recommendations 1 and 2 on this. Security and safety at ACT schools is a very serious issue that is not being tackled by this government. Again, I strongly support recommendation 95 of the committee's report that the government conduct an audit and formulate a safety and security plan for all schools by 2010.

I was pleased to hear the minister say in question time today that he would be looking to include the non-government sector in the safe schools task force initiative. I would urge him now to make an ongoing commitment to include the non-government as often as possible without having to be asked or invited by them.

The minister was quick to say to me today that I have been coming on very strong about bullying issues and certainly bullying issues at the Kingsford Smith school. My response to this is that, yes, I am treating this issue with the gravity it deserves. The countless representations to my office about the legacy of bullying and the inaction on bullying is evidence of this. The minister can rest assured that I will not be giving up on these issues.

In fact, I am as passionate about representing my constituents and my portfolio responsibilities as Mr Barr is about the media and photo opportunities or the spin to create headlines regardless of the reality of the various releases. His narcissism is boundless and his ability to backflip is becoming legendary, thus the title: the minister for spin and media opportunities.

Finally, I would like to wrap up with some comments from Mr Tony Harris in his analysis of the ACT budget in relation to education funding. I quote from his analysis:

In general, it seems that the budget for the education function is tight—like that for health, but less so. Even with wages restraint as expected by the government, the out-year increases indicate that the forward estimates for the out-years will be a difficult to live within.

End quote and food for thought, ladies and gentlemen of the Assembly.

**MRS DUNNE** (Ginninderra) (11.48): I will speak briefly on this. I really wanted to dwell on only one subject. That was one that was touched on briefly by Mr Doszpot and it relates to Labor Party advertising. I thought that the display by the minister on that day started off pretty well, actually. I think he had a pretty good start when asked about using his political officers to arrange advertising in ACT government facilities. The minister came out full frontal, on the attack and very decisive. He said, “It would be improper for me as a minister to have sought advantage for my political party in relation to such request.”

Everyone agreed with him and it was heartening to hear the highly principled approach taken by Ms Davy, acting CEO of the department of education, when she said that that would be a clear conflict of interest to have allowed government sites to be used for party political advertising. It was unfortunate. Well, it was laudatory that Ms Davy was able to come back so quickly and correct the record. But the display from the minister that afternoon post the perennial bombshell was extraordinarily disappointing.

I have to comment on it because it shows the lengths to which ministers in this place will go to distance themselves from adverse comment. What happened there was that Mr Barr stood back and ensured that his former senior staff took the bullet for him on this. The rate at which Mr Barr dropped his staff in it and claimed that he had no knowledge of this backwards and forwards arrangement and discussions between his office and the former chief executive of the Department of Education and Training I find hard to believe.

We have heard over the years, Mr Speaker, of the concept of plausible deniability where you do not tell your boss things so that he can honestly say with his hand on his heart that he did not know. But on this occasion what we saw was utterly implausible deniability. This minister could not have failed to know what was going on during an election campaign. It is impossible to believe.

It is impossible to believe that his chief of staff made phone calls to his chief executive and had discussions and that they ended up with an extraordinarily lengthy

and detailed letter about what could and could not be done and that he, at no time, knew about it—that he at no time said to his chief of staff, “See if you can sort something out,” and that there was not reporting back.

What we saw that day was the minister caught out. He thought that he could get away with looking principled but when you put Andrew Barr under pressure all the principle goes out the window. The benign smile disappears and the ruthlessness of this man comes out. He stood back and he fairly and squarely put his chief of staff in the firing line and allowed her to take the bullet for him.

It is the measure of the man that he would do that. It is a warning to all Labor staff, quite frankly, that this is the way that you get treated. If you mess up you just stand there and you take the bullet. If anything comes of it by way of the minister, you get in the way. You take the fall and the minister will say, “I know nothing about it.” It was the most implausible performance that this minister made during the estimates process.

**MR COE** (Ginninderra) (11:53): I have been inspired by my fellow member for Ginninderra to speak about the benign smile and the ruthlessness. It is interesting that Mr Barr should continue to banter and should continue to have a go at us on the opposition bench. That is exactly what he did a few weeks ago. A few weeks ago Mr Barr was in here mocking school bullying by having a go at each member of the opposition one by one—very biased and pretending what we would be like in the schoolyard.

I think he had a go at Mr Dozpót’s Hungarian heritage. I think he had a go at Mr Seselja’s Croatian heritage. I cannot remember what he said about me—something about wearing a school blazer and sucking up to the teacher, I think he might have said. And I think he had a pretty cruel go at Mrs Dunne, from memory. But what I will do is use it as a bit of a segue to go into Mr Barr’s vendetta against non-government schools, because that is what it is. It is a slow-kill approach to non-government schools.

About 45 per cent of Canberra’s school aged population go to non-government schools. That is after eight years of Labor championing education. That is after eight years of Labor delivering on education. That is after eight years of having these committed ministers that are dedicated to restoring confidence in public schools. After eight years, 45 per cent are still in the non-government sector—45 per cent.

**Mr Barr:** It is not 45.

**MR COE:** You have got to ask: “What does this mean? Does this mean that the ALP are delivering on public education?” When you have 45 per cent of students—

**Mr Barr:** It is 41, Alistair.

**Mr Doszpót:** It is 43 per cent.

**MR COE:** Forty-three per cent.

**Mr Barr:** Forty-one.

**MR COE:** Forty-three per cent, I hear from the shadow—you have 40-odd per cent, we will say, that are choosing—

**Mrs Dunne:** It is much higher than 40 when you go into the high schools.

**MR COE:** It is like a reverse auction, isn't it. You have 40-odd per cent who are choosing to opt out of the public system, choosing to pay above and beyond their taxes that have paid for public education, because these parents have sacrificed and consciously said that the non-government sector is not for their child.

Some parents, of course, do choose government schools because it is right for their children. But the fact is if the public system was as good as Mr Barr constantly tells us, why is the trend away from public schools? You have a handful of students that switched, but the long-term trend is against public education.

I think Minister Barr has to take some responsibility for this, and he has got to look at his party's policy towards non-government schools. Quite frankly, the public are endorsing non-government schools clearly with their feet, yet you have a minister that is refusing to give a breakdown of the money that goes to private schools, refuses to actually outline the support he is giving non-government schools because I presume he is too afraid. He is too afraid to annoy the public school constituency.

Recommendation 93, on page 147 of the committee's report states:

The Committee recommends that the ACT Government budget gives a more detailed breakdown of funding to non-government education.

This is not a Liberal Party recommendation. This is an Assembly recommendation that the government should do this. Whether this actually happens remains to be seen, of course. Personally, I am quite sceptical whether this will actually happen because, as I said earlier, I think Mr Barr would be too afraid of annoying his core constituency that may well be anti non-government schools.

But another example in the context of the Labor Party's lack of delivery when it comes to school education or tertiary education would be, of course, the 49 per cent increase in bus fares for students. Tertiary students from next Wednesday will pay a 49 per cent increase in the cost of riding a bus. This from a government that is trying to encourage people into public transport, coming from a government that meant to be the champion for education, coming from a government that is meant to be the champion for young people.

A 49 per cent increase just brushed aside by Mr Barr by his saying, "Well, we have not had an increase for three or four years," is not good enough. There has been no inflation in Australia in any state or territory of 49 per cent. To actually say that there is a service increase of 49 per cent on ACTION buses is laughable. Really, there has to be a better justification for why tertiary students are paying 49 per cent more in the cost of their bus tickets.

I commend my colleague Steve Doszpot for the work that he has done on lobbying for non-government schools to be included in the review into special needs. In the last few weeks I have had the privilege of visiting a number of schools for Bubble Day, Autism and Asperger ACT's program to boost awareness of autism spectrum disorders, and it was pretty inspiring to see some of the great work that is happening in our schools with regard to this program.

In particular I found my time at the Cranleigh school in Belconnen quite inspirational. There would have been about 30 to 50 students in the assembly that I visited. I am guessing that there were about 15 or so teachers and carers. There would have been another 15 or 20 parents there, all looking after about 50 students. They were having a fantastic day and a fantastic week celebrating Bubble Day.

It does show the importance of making sure that all students, regardless of whether they are in the government sector or the non-government sector, are receiving the care they need when it comes to special needs. I will conclude on that. I urge the minister to take on board the recommendations of the estimates committee, and especially recommendation No 93 calling for a breakdown of funding to non-government education.

### **Friday, 26 June 2009**

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (12.01 am): The Minister for Education and Training indicated in the estimates committee hearing that the \$28 million commitment to lower class sizes across all years in ACT public schools and colleges is the centrepiece of the education and training budget. The commitment is to reduce numbers to an average of 21 students in primary and high schools and 19 students in colleges. We are concerned about how he will go about implementing this. From the responses received in estimates from Ms Davy, the acting departmental head, and others, it appears that getting this right will be a major task. The estimates committee share this view and in their report on page 135 noted they were not convinced that the minister would be able to meet this policy objective.

Some schools will continue to operate with less than the average class numbers and others with more. Indeed, the committee has made two recommendations in relation to publishing information outlining class sizes, including the number of classes which exceed 21, 25 and 30 students. The amount of \$28 million represents a significant investment in this centrepiece of the minister's budget. There is a need to ensure the target is achieved and appropriate strategies developed to assist those schools which have classes that fall outside the average with class sizes of the levels outlined by the committee.

There is an investment of \$6.4 million over four years to provide specialist teachers to work with other teachers to support students with literacy and numeracy issues. We understand that part of this funding is a result of our commitment under the national education agreement to improve literacy and numeracy levels across Australia. Any additional resources in this area are welcome. The ACT is recognised as having the highest literacy levels of all jurisdictions. With this in mind, it is important that these

resources be targeted towards some of the 80,000 Canberrans with low literacy and numeracy levels who are not necessarily children engaged in education. This includes working collaboratively with community organisations to engage in work with people who are marginalised from mainstream services.

The need to attract an additional 70 teachers to accommodate the implementation of smaller class sizes presents a significant challenge in a climate where the salary rates for ACT teachers are lower than in some other jurisdictions. The upcoming enterprise bargaining agreement negotiations and the minister's plans to review teaching salary classifications will place pressure in relation to ongoing funding to attract new, and retain existing, teachers. We welcome the recommendation of the estimates committee for the government to provide a detailed analysis of the impact that a major restructure of the education workforce would have on the budget over the forward years. With the projected overall ongoing budget deficit, it is vital that any significant increases in expenditure, no matter how important, be carefully considered.

In relation to increasing the number of Indigenous teachers and teachers' aides in our public schools, we welcome this and we need arrangements to continue the long-term funding of the part-time teaching resource for Gungan Gulwan youth centre, bearing in mind that this funding of around \$35,000 was formerly provided from the community inclusion fund, which ceases on 30 June 2009. With some \$6.4 million allocated for literacy and numeracy, it would seem that this resource would fit into that category. We appreciate that in estimates and in the government's response the department and Mr Barr undertook to maintain funding for 2009-10 and to look at the possibility of how best to continue this program within the department's overall Indigenous education program.

Last week we saw the minister agree to widen the scope of the special needs review for students with a disability to include non-government school students. No doubt, along with the families of these students and the teaching staff, members in this place will be pleased this has happened. Over time, since the review was announced, we have had many representations in relation to the omission of non-government schools from the review, and we see it as an essential step in any process to improve services for these students. Also, in regard to special needs education, we look forward to the outcome of the Shaddock review, but I am concerned by the minister's statements that no extra funding will be provided. I would hope that, if the review identifies the need for more funding, the government would respond positively.

Capital works involving Harrison high school, Gungahlin College and other projects, when combined with the significant nation building and jobs plan funding for government and non-government schools, provide the education sector with a sound basis to meet ongoing and future needs of students, teachers and other members of school communities.

The ACT Greens are supporting this line in the bill but are flagging the need for the minister and the Assembly to closely monitor the sizeable spend in this area and to ensure targets are met.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and

Recreation) (12.05 am): This budget invests very heavily in education. It is because it is a budget for the times, a budget for tough economic times, and in those tough economic times it is appropriate to invest heavily in education. Our investment is in building new schools and refurbishing old schools. It brings together short-term and long-term goals. New construction supports jobs during difficult economic times now; better facilities improve education for the years ahead. It is good economic policy and it is even better social policy. It is a modern, progressive Labor education budget.

As previous speakers have identified, the centrepiece of this budget is a \$28 million commitment over four years to lower average class sizes across the education system. It is a commitment that is targeted at high schools, primary schools and colleges. It goes to provide flexibility for schools to have classes significantly smaller than 21 where it is appropriate. We leave it in the hands of our professional educators, our school leaders, our principals and deputy principals, to make those resource allocations at an individual school level. It is about investing in quality education outcomes. We believe that those quality education outcomes are achieved through investment in quality teaching, investment in quality facilities, investment in a quality curriculum and ensuring that those three factors work together to improve education outcomes across the board.

We have provided an additional \$6.4 million towards specialist teachers in literacy and numeracy. They will work to implement the government's new literacy and numeracy strategy. Combined with the school improvement framework and the transparency and accountability agenda, it is a fundamental reform of the way education is delivered in the territory. It aligns with the range of national partnerships that the ACT has entered into with the commonwealth in relation to teacher quality, to assist students from lower socioeconomic backgrounds and to improve literacy and numeracy outcomes.

The ACT performs very well in the national and international context, but there is no doubt that the great risk for the ACT education system is that we become lazy and complacent with our performance and that we do not continue to strive for improvement. That is why we have put in place the school improvement framework, a process where schools will deliver on their school plans. They will be assessed annually against those plans and at the end of the four-year cycle they will be evaluated by an independent expert. There will be feedback for parents—much more information than has been provided in the past—and that will be very important as we move forward to progress this education agenda.

As previous speakers have alluded, there are a number of other important commitments in this year's budget that go to the heart of Labor's election commitments from 2008, most particularly around support for gifted and talented students through the in pursuit of excellence program; support to increase the number of Indigenous teachers and teachers' assistants; more support for staff to assist students who have English as a second language; funding to improve language education in the territory by building closer relationships with embassies and cultural institutions to support language delivery in our schools; and meeting our commitment to the non-government school sector around creating a non-government schools equity fund.

It is at this point that I must respond to Mr Doszpot's gross misrepresentation of my comments in the estimates committee. Yes, the government established a non-government schools equity fund, deliberately targeted to provide the bulk of the support to Catholic and low-fee, independent schools. And it was in that context that I made my statements around not directing that equity funding to schools that could be described as blazer schools, those high-fee independent schools. In fact, the term "blazer schools", I will confess, was given to me by the Principal of Emmaus Christian School, who described his own school as not being a blazer school, being a low-fee, independent school.

In seeking to characterise the difference between the non-government and independent schools, and to give a very clear example of where we are targeting this additional funding, I make no apologies at all for wanting to target this additional funding to low-fee, independent schools and to the Catholic school system. It is an equity fund and, with the greatest of respect to some of the other high-fee independent schools in the territory, my view and the Labor Party view is that at this point in time they were not a funding priority for additional resources. We should be putting our additional resources into low-fee and Catholic systemic schools, particularly in relation to improving student equity outcomes.

It was a deliberate policy decision, one that we were up-front with before the election, and an entirely consistent application of that policy. Mr Doszpot can make all the accusations he wants. All I need to do is go to the comments of Mr Irvine, the Executive Director of the Independent Schools Association, about the budget: "The ACT government are delivering on their non-government education election commitments which the Association welcomes—particularly the continued investment in students with a disability. It is pleasing to see the government allocating \$1.6 million over four years for students with a disability in non-government schools. We also welcome the increased funding of 0.7 per cent each year to non-government schools over the next four years."

The sector have spoken. I repeat for Mr Doszpot's benefit: I will talk to them and take advice from them on policy in relation to non-government schools, not from him. He does not speak for them, and they have made it very clear to me that he does not speak for them and that I should never take what he says on their behalf as to be their position; I should always talk to them. And I give them that commitment—that I will always do that. I will never take Mr Doszpot's word as standing for what they represent to government. I will never do that.

In relation to Mr Coe's point and the recommendation in the estimates committee that more detail be published on non-government school funding, I draw members' attention to page 363 of budget paper 4 that outlines the ACT government's contribution and that of the commonwealth government. Then there was the little scare campaign that Mr Doszpot was running, around changes to territorial payments that occur every year. I understand he is a new member and that he may not have encountered this before, but the territory simply acts as a post-box in terms of passing on commonwealth government funding to non-government schools. The ACT government are not responsible for the amount of money the commonwealth

government allocates to non-government schools. We simply take receipt of it and on-pass it to non-government schools.

So, whilst he might want to confect a great political scandal, I suggest that there is a little bit of history, a little bit of understanding of the issues—and I acknowledge that funding arrangements for schools in Australia are very complex. It would be worth noting that the ACT is, as far as I understand it, the only jurisdiction that pays more money at a state or territory level to non-government schools than it receives from the commonwealth for government schools. Everywhere else in the country, the reverse situation is the case. For the ACT, out of ACT budget funding, the \$46.5 million that was provided in 2009-10 is more than the recurrent operating grant that is provided by the commonwealth government to the ACT for government schools.

The ACT government are and will always be the major provider of funding for the public school system—about 91 per cent of funding. It is our responsibility, it is our system, and of course we will prioritise it. To suggest otherwise is, in my view, very poor public policy. That is not to suggest that there is not a role for the territory government in providing funding for non-government schools, and we have increased that amount in successive budgets. But we have sought to target it around areas of identified need, in consultation with the non-government school sector.

There are other elements of this budget, most particularly in relation to support for gifted and talented students and support for school-based apprenticeships, that go to the heart of the diversity of our public education system, to meet the needs of a diverse range of students. It will always be the role of the public system to be a universal system that aims to meet the needs of all the students in the territory, and my view is and will always remain that the public system has an obligation to provide quality education to all comers.

It is the core business of the territory government—that is why I am in politics—to deliver quality education outcomes. And from time to time that means making difficult decisions in the face of opposition for opposition's sake—I have seen that through my entire career in this place. Criticism by you lot earlier today for my allegedly not taking difficult decisions in this budget, and using as examples of that your opposition to the difficult decisions I have taken in previous budgets, is the height of farce and hypocrisy—and you will stand condemned for your lack of intestinal fortitude on difficult decisions, particularly in relation to reforming education to get high-quality outcomes. That is what drives political engagement. It is why you are still here at quarter past 12 on a Friday morning, debating education policy; it is because you might care about driving reform and delivering higher-quality education outcomes. And that is why I am in this game—not to be debating you guys at 20 past 12 on a Friday morning.

In moving on, it is worth noting the comments of other stakeholders in relation to this education budget. I think Elizabeth Singer from the P&C association summed it up best when she said:

In tough financial times, it is encouraging that public education spending has risen 4.4%.

She welcomed the additional resources in literacy and numeracy, but in addressing general classroom needs she very much welcomed the additional money to employ specialist teachers. She welcomed the fact that the government has identified a significant decline in achievement in our brighter students, and the P&C council is encouraged to see that the government has provided funding to address the needs of gifted and talented students.

On the capital works side of this budget, it is worth noting the fine efforts of the Department of Education and Training to significantly achieve on their capital works budget. If you look back over the last decade, the average capital works spend in a year required by that department has been in the order of \$20 million a year. This coming financial year, 2009-10, the capital works spend, combining the ACT government and commonwealth government funding, is in the order of \$200 million, so 10 times the average amount of capital works expenditure. It is a massive program of investment in our schools.

The ACT Department of Education and Training has delivered a new school in this territory every year since I have been education minister. I am pretty impressed with the work that that department has done, and looking forward to 2009-10, 2010-11 and beyond we will see new schools delivered in Gungahlin, Gungahlin College; Harrison high school and, of course, the new P-10 school in Kambah.

**Mr Smyth:** Your 10 minutes are up.

**Mr Hanson:** Your 10 minutes are more than up.

**MADAM ASSISTANT SPEAKER** (Mrs Dunne): I missed this; I am sorry, minister. The Clerk has pointed out that your 10 minutes have expired.

**Mr Hanson:** Ten minutes ago.

**Mr Barr:** So I haven't had a clock?

*Opposition members interjecting—*

**MADAM ASSISTANT SPEAKER:** I thought the terms of the agreement in the resolution for tonight was that he would have 10 minutes.

**MR SESELJA** (Molonglo—Leader of the Opposition) (12.20 am): It is disappointing that the government cannot even live within the terms of its own gag order. I will speak for a couple of minutes because I think that is all we have got now. The minister talks about tough decisions but he does not mention that they were dishonest. It is not a tough decision to hide things in an election, to lie about your intentions and then to turn around and break an election promise as fundamental as not closing schools.

We saw, indeed, an attitude there. The pejorative term that Mr Barr used, the blazer schools, refers to a lot of schools in Canberra; it is not just high-fee schools. There are

a lot of independent schools and others that have blazers. I do not think that using that terminology helps in breaking down barriers and, indeed, in moving beyond the battle between public and private schools. I think that kind of terminology, that Lathamesque-type terminology, does not really get us anywhere, the constant class warfare crap. I think it would have been—

**Mr Barr:** On a point of order, Madam Chair: I think he should withdraw.

**MR SESELJA:** I withdraw “crap”.

**MADAM ASSISTANT SPEAKER:** You will have to go back and withdraw a few other “craps” tonight, I think.

**MR SESELJA:** This is the class warfare rubbish that they persist with. That is what blazer school is about; it is not just about choosing a couple of high-fee schools because we do have only a very small number of high-fee schools in Canberra. The vast majority of non-government schools are at the low and medium-fee end. But it is the attitude. It is demonstrated in all that they do, I think, towards non-government schools. We still have very low levels of funding for non-government schools.

There are a couple of quick issues in the very short time I have. Smaller classes: we are glad that the minister has come on board with that policy direction that we set last year—

**Mr Smyth:** Dragged kicking and screaming.

**MR SESELJA:** Yes, he is dragged kicking and screaming. The averages, I think, are problematic.

There is concern about the almost ideological opposition to CCTV cameras. If there is a case for them, I think they should be looked at on merit rather than rejected on ideological grounds. That seems to be what is going on at the moment.

I would simply note that, with this gagging of debate that we have had, whilst the minister did take more than his 10 minutes, we have had only five minutes from the Greens on education. I do not know whether that was the rationale for shortening the debate, but five minutes on such an important policy area, such a large part of the budget, I think, is indicative of a party that is not ready to come and scrutinise this budget and scrutinise the really important aspects of it.

**MADAM ASSISTANT SPEAKER:** The time for debate on this proposed expenditure has expired.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.17—ACT Planning and Land Authority, \$42,164,000 (net cost of outputs) and \$4,509,000 (capital injection), totalling \$46,673,000.

**MS LE COUTEUR** (Molonglo) (12.23 am): I would like to start my comments on ACTPLA by talking about development applications. We are very pleased to see the

extra \$1.7 million in funding to ensure that these are processed more quickly. We also support the government's proposals for a two-year moratorium on fees for delayed commercial developments.

There are a couple of recommendations about the website as part of the committee's deliberations. ACTPLA has put more money into the website. I must admit I am a bit disappointed that these recommendations were not taken up by the government. Firstly, there is recommendation 121. It is quite reasonable to see on the website information about the waiting times for DAs.

Recommendation 122 is asking for an archive of DAs to be kept on the ACTPLA website. I must admit that is something I would find very useful and a number of my constituents would also. It is very frustrating to have known there was something up there and, if you do not grab it at the exact moment, then it is gone.

These days the cost of disk space is very cheap. I am sure that ACTPLA could afford the disk space to keep the DAs up on the website. I am sure that they are still there electronically somewhere. I would just like them to be electronically available to the public as well as to ACTPLA staff. If there are issues with how long, then maybe if it is only kept up for a couple of months, even that would make a big difference in terms of the public's ability to know what is going on in our city.

Moving on to energy efficiency, I was glad to hear through the estimates process that ACTPLA will be starting a system for licensing and auditing energy efficiency rating assessors and, clearly, the Greens have been pushing for some time for the energy efficiency assessment process to be tightened, audited, licensed et cetera.

The committee also recommended that ACTPLA include an average energy efficiency rating for domestic and commercial buildings constructed each year as an accountability indicator. I was quite surprised to see the government's hesitancy about this and their concern that they did not have the data. Given that all buildings have to reach a minimum star rating and it is part of the things that a building certifier has to know, I just cannot understand how ACTPLA, which is the authority which regulates this, says it does not have this data. What data does it have? I would really like to see this one looked at more.

Another one is solar orientation, and that is an issue which the Greens are very keen to see improved in building, planning and land release issues. The estimates committee recommended that ACTPLA ensure that solar orientation is a key criterion in estate plans. I was pleased the government agreed with it but disappointed to find that they agreed to it because they stated they were already doing it. I guess the main thing I would say is that, if they are already doing it, they need to do something better than what they are already doing. I get lots of emails from constituents about buildings which are simply not facing north; that just across the road from their building one is being built and, of the four elevations, north is the one that has the least windows; it is also the one, ironically, which would have the best views had they chosen to look in that direction.

I note also that you can legally have blocks laid out at one-star for solar rating and, looking at the estate layout DAs that I have looked at, these all tend to be of the

smaller, affordable type. I would think these are the ones which, particularly and unfortunately, are one-star. The people who live in them, presumably, are going to be the less well-off people of Canberra and are not going to be in a position to move their house around after it has been built not facing north. So they are going to be condemned to high heating bills and high cooling bills because they did not get an affordable house whose builder did not look at affordable running costs, only affordable construction costs. I think that in the long run this, for many people, will be false economy.

Another area which is being funded through the budget is master planning. There was master planning funded for Kingston and Dickson. This is a bit of an interesting subject. They used to be neighbourhood planning; then they were replaced by the LAPACs; and we have not really had much of a process for involving the community in planning since then. We have had a couple of examples come to the Assembly while I have been here where consultation just has not happened. Hawker shops and Nicholls car park come to mind. We need to do something better than what we are doing in terms of community consultation.

I think the current funding for two master planning exercises in this year is far too small, given the needs of the community. This is why the Greens would like to see neighbourhood planning reinstituted. It is an item in the Greens-Labor agreement and it is one where we truly think, in the long run, we could reduce issues by doing this.

Another area where, hopefully, we will have good community consultation which will lead to reduced issues is the eastern broadacre study, which many people are eagerly awaiting. It is going to affect a lot of people, including, in particular, the residents of Pialligo and Majura Valley, all of whom live on broadacre zoned land. I am aware that the residents of Pialligo have started their own master planning process to kick-start a plan for their village and to retain the values of their area. We will possibly need to have another zone in the territory plan called “village”, but that is probably a conversation for another day when possibly people are awake.

I am moving on to Molonglo, which will be one of the most significant developments that ACTPLA is going to be looking after in the next few years. I understand that there are going to be about 800 to 1,000 blocks released, pending the strategic environmental assessment of the land. My concerns here are a lack of planning towards ensuring a pipeline for non-potable water is available. That is one of my concerns. Mr Savery did state during the hearings that ACTPLA and TAMS support the stormwater plans in west Macgregor but I understand that the third pipeline there was knocked back for a lack of departmental policy and coordination on the issue. I would really like to see ACTPLA, TAMS and ACT Health coordinate better in finding ways that we can start using non-potable water because the ACT does have a problem with its water supply and we need to look at more innovative ways.

I am pleased that in Molonglo ACTPLA is planning to retain the natural watercourses as much as possible, unlike the older areas of Canberra. I note from the budget papers that the ratio of greenfields to town centre land releases still shows that the government appear to be relying on greenfields growth as a key part of their revenue base. And we need to find a better way here. We need to find ways that will not

continue to sprawl our urban footprints across greenfields of increasing ecological importance. I do hope that the inquiry that has just been referred to the planning committee will look at some other key transport corridor options across Canberra which can withstand an increase in density, not just a few in north Canberra.

Almost finally, we are very pleased with the tune-up program, the commercial building energy efficiency tune-up. The \$2 million, I am sure, will help. And I am sure this will just be a start. Once we have our legislated greenhouse gas reduction target we are going to do initiatives like this on a much larger scale.

Finally, we have been talking about horse paddocks a lot as being under threat from greenfields. But the other recreational area that is also under threat is mountain biking, which is losing key areas to development, potentially Kowen and, in the case of Majura Parkway, the Majura pines.

**MR SESELJA** (Molonglo—Leader of the Opposition) (12.32 am): We look forward to the shadow shadow planning minister coming down and joining us for this debate. He might share the time with Mr Barr.

There are a number of important issues to come out of the hearings into the ACTPLA budget. Development applications continue to be an area of concern for industry. That was one of the first lines of questioning. There are considerable fluctuations in development application numbers and the average time for those applications to be processed. Between 1 January 2009 and 31 March 2009, including time for notification, DA processing took an average of 43 days. This compares to the six months preceding, when it averaged 37.5 days.

I think it is worth putting those numbers into context, because that is the whole range. Of course, the processing of some DAs is a very straightforward process and there are others that are more complex. But that is still a relatively high average and one that is concerning. It was concerning to me too that Mr Savery initially disputed the accuracy of these numbers, despite the planning minister providing the numbers to us in a question on notice.

It is important to note also that, as of 9 April, there was \$453 million worth of applications in the merit track. We know that much of the argument is about fast-tracking the federal government stimulus money and development applications, or developments under that, but of course, as we have been arguing for a long time, there is a lot of private sector money that gets held up, sometimes unnecessarily, in the development application process. We want to see a continuation of reforms that would ensure that we reduce the delays as much as possible.

There is the continued use of the stop-the-clock method. That is of concern to applicants, it has been put to us, as has been the lack of acknowledgement of receipt of application. These two issues make it difficult for people to know where their application is in the approval process, and even if it has been received. This has been a consistent area of feedback.

I think that over time there has been a lack of appreciation of the economic importance of what happens in ACTPLA. I do not know whether that is changing in

government. ACTPLA is one of those agencies where getting efficiencies and getting things right in ACTPLA have a big impact on our economy. We know that the amount of economic activity that gets delayed through delays in the planning system and the planning agency is significant and has a significant effect on jobs in the ACT.

There is never a good time to have planning delays. In good times people are looking to invest and get that money out there. But in slowing times, at times when the economy is slowing and there is more difficulty in getting finance for projects, delays can be fatal. Delays can be fatal to the viability of projects and therefore can be job destroyers. There needs to be the attitude in government that ACTPLA is an important economic agency. It is about planning our city, and planning it well, but it is also critical to the economic viability of industry in the territory, because we know that the construction industry is such an important part of our overall economy, such a large part of our private sector here in the ACT.

It is well known that there are processing delays and backlogs in the planning system. In this budget the government seeks to remedy this with a one-off \$1.73 million allocation for the effective delivery of services. There are no plans in place for post-2010 when this money runs out, and there will undoubtedly be further backlogs. To help inform the public, the committee recommended that the ACTPLA website include regular updates of the number of development applications in the system and the estimated time it will take to process each application.

The government has agreed to include regular updates of development applications in the system, but it will not agree to provide an estimated time it will take to process each application. The rationale that was given in relation to that was an interesting one—that there was potentially some sort of deterrence in providing the estimated time. I think that it is important that we have that transparency. Actually doing that will perhaps also act as a bit of an internal accountability mechanism: if you have to give an estimated time, you have to keep it reasonable. If you are speeding things up, the estimated times will be less likely to be a deterrent.

We are keen to see the development system implemented. If it is done properly, this will make lodging applications much easier for people and, hopefully, make it faster. We desperately want to see the system improved here in the ACT, because of the importance to our economy and the importance to the overall amenity of our city. We need to get the planning system right, ensuring—we have had some discussion, and I will not go over the discussion we had earlier this morning—these fundamentals of ensuring that our city grows in a sustainable way. They are important to how Canberra grows; they are also important to our economy. Working on putting in place settings for our planning system that encourage activity, growth in the right areas, vibrancy in our town centres and a sustainable transport system is what a well-working planning system should be doing.

There was some discussion of section 63 and section 84 in Civic. Section 84 has not been completed, many years after being sold. ACTPLA has granted two holding leases; the current lease expires in August 2011. There was some discussion about this in the committee. The minister referred to a *Canberra Times* article on this issue of section 84 as fiction, I think. But when asked which part of it was fiction, the minister

could not actually point to any specific part of the article as being fictitious. It is all well and good not to like an article, but if you are going to make those claims you should point out where it is incorrect. It appeared, from evidence given to the committee by the minister, that it was the vibe of the article that was wrong, in his opinion, rather than any of the specific claims which were made.

We know that there has been significant delay in section 63. We know that there was a major planning failure in relation to section 63. We were obviously concerned at the time when that was revealed, and we look forward to the resolution of this. The committee recommended that in the June sittings the Minister for Planning provide the Assembly with a report on how the issues concerning section 63 in Civic have been addressed.

There are a number of other issues I would like to touch on briefly. Going through and looking at the concerns that industry have put to us and what we want to see in terms of a response to that in this budget, I think the roughly \$1 million one-off injection will make a difference—we hope it will make a difference—if it is used in the right way.

It is concerning, though, moving forward. We are being told that this is to clear the backlog, which is very important, but what will happen in an ongoing way to ensure that we do not see these kinds of backlogs developing again? I do not believe that it is all as a result of the change to the new planning system. I think there is still a significant view in industry that—I think I acknowledged this during the hearings—there have been some improvements in ACTPLA over the last couple of years but that there are still significant cultural issues which affect the ability of industry to get things through the system in a timely manner. I do not think that in the last few years in government there has ever been the will to try and address that.

I know that from time to time the Chief Minister, through David Dawes and the major projects unit, likes to take an interest in these things. (*Second speaking period taken.*) I know that from time to time through the major projects unit there is an acknowledgement that they need to try and fast-track things—sometimes with success; at other times not with so much success, as we saw with the power station. It reflects that the government is perhaps finally waking up to some of the economic importance of our planning system, but we have not seen the will to actually make some of the cultural changes that we believe are necessary to get things done. This morning I mentioned the minister coming on board with some of our policies in terms of targeting the resources in ACTPLA where they are needed to deal with development applications; some of the \$1 million is, I suppose, an extension of that.

Ms Le Couteur talked a bit about solar access to blocks; it was a focus for Ms Le Couteur and some others in the committee, both with ACTPLA and also with the LDA. That is a critically important issue. It is one of the simplest ways we can make our homes more energy efficient. In the committee, we took on board the questions about yield. That always needs to be a very important consideration, but perhaps what is colouring a bit of this debate between the issue of yield for blocks and the issue of solar access is the obsession with new urbanism. There needs to be a little more flexibility in the way we design our subdivisions if we are going to get the

environmental outcomes whilst protecting the yield. If people are aware of some of the various designs that are out there that take account of this, I do not think you actually lose that much yield if you do it right. But if you are obsessed with certain ways of designing suburbs and designing subdivisions, that makes it more difficult.

At one stage—I think it may have been in the climate change committee—I was putting to Mr Savery how they were doing that within the context of new urbanism. They talked about the parallel streets and rectangular blocks. Essentially, I think we concluded that the difference was that some of the rectangular blocks become oblongs or triangles. That demonstrates that there is a bit of an overly strict interpretation of how things should be done. That limits yield and therefore also limits your ability to respond and have as many blocks with solar orientation as possible.

I know that Mr Smyth is keen to make a contribution within the allotted 20 minutes that the opposition has been given on this issue, and of course we are sticking to our 20 minutes, but I would just conclude on the point that I started with: the importance of planning and getting planning right, not just for how our city grows, how our city looks and the amenity of our city but also for economic growth in the territory.

It is a very important economic agency, in my opinion. We believe that there are still significant structural reforms and cultural reforms that can improve outcomes and ensure that the intent of the changes to the planning system, which we always believed were a reasonable framework, can be implemented in a way that delivers the kinds of outcomes that were originally intended.

**MR SMYTH** (Brindabella) (12.47 am): There are just two issues that I would like to canvass. The first issue is the Fairbairn Pines precinct. This could have been raised in any of a number of portfolios; it might be TAMS, environment, the EPA, JACS, Regulatory Services, or WorkCover in industrial relations in the Chief Minister's Department. It is about where activities on adjoining blocks conflict. Through quizzing several ministers and then putting questions on notice, I found that no-one was particularly responsible for this area or the problems that are occurring there.

Basically what we have is two pastimes next to each other—motor sports, particularly motorcycle riding, and a firm that runs the paintball facility at Fairbairn Pines. The operator is having considerable difficulty. He has gone to several of the departments. There seems to be an across-the-board denial of responsibility for the good servicing of this area and the good maintenance of order in that place. All the paintball operator wants to do is run his business. He wants to run it safely, but sometimes the noise is so loud that it is impossible for safety instructions to be relayed from those in charge to keep those who are playing paintball safe. On occasions, he has shut his facility down.

I am just making the point here that we need to make sure that, where several areas of government intersect, there must be a pathway forward so that members of the community can get reasonable, decent and timely service out of their government.

The second area that I would like to speak to, and again it is an area that has crossover, is the area of horse paddocks. It was dealt with in some form in the hearings with ACTPLA. On page 270 of volume 2 of the report there is a recommendation:

The Committee recommends that new areas of suitable land be identified for use as horse paddocks and that the contract management of horse paddocks is reviewed.

I can accept that the minister is not responsible for the contracts—that is done in TAMS—but in terms of the future establishment of horse paddocks it is interesting. The recommendation was noted. It said:

ACTPLA does not make specific provisions for additional horse paddocks within Canberra's urban area including Molonglo. In relation to other recreational and sporting facilities, these are considered in detail as part of either the structure plan or the concept plan/precinct code stage, in consultation with ACT Government agencies. "Horse paddock" is not a use under the Territory Plan. However, horse agistment is permitted under the "agriculture" use in relevant Territory Plan zones.

The committee was saying that when we plan we should make sure that they are included in the plans. I do not think that is an unreasonable request. There are a lot of people who participate in horse riding, from young kids that are learning to ride all the way up to those that compete at the national and international level. Over the years Canberra has had a good reputation for the facilities that we have been providing here. It would be a shame if, as land is withdrawn from the horse paddocks for development, as might be fit and proper, there is no allowance to make sure that additional land is found to compensate for the lost land.

I understand that there are several hundred, if not thousands, of people involved directly in riding on a regular basis. I understand that there is a waiting list for agistment in the ACT—people looking for a place to keep their horse so that they can be close. I understand that a lot of local residents keep their horses across the border in New South Wales, which means revenue that is lost interstate. The equine community are simply saying that they would like a fair go—they would like to know what the process is so that they can plan for their future needs—and that it would not be unreasonable, when estates and new areas are being put in—for instance, Molonglo—which will have areas that border rural areas, for planning to be done to ensure that those that enjoy riding horses get a fair go.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Children and Young People, Minister for Planning and Minister for Tourism, Sport and Recreation) (12.52 am): This budget makes sure that our planning system can support local jobs. Good planning brings together the communal, economic and environmental needs of our society. This is a budget for these difficult economic times, a budget that supports the community and a budget that supports jobs. That is why it invests in a range of practical measures to support our planning system, like more inspectors and quicker completion of certificates. It is all about further enhancing our simpler, faster and more effective planning system.

That is why the budget invests in infrastructure in our suburbs, major investments in roads in Gungahlin and major investments in developing the Molonglo Valley. It is about building a better city and supporting the community. Highlights of the budget in

the planning area include an extra \$9.7 million, including nearly \$8 million over four years, to place more inspectors in the field and to provide faster turnaround times on building inspections and, as a result, faster issuing of completion certificates.

On the capital side, there is a significant investment, \$74 million, in Gungahlin and the Molonglo Valley over the next three years to assist the government in its land supply strategy.

This includes \$21 million for the extension of Clarrie Hermes Drive from Kelleway Avenue, Nicholls, to the Barton Highway, which will provide arterial road access for the new residential areas in north Gungahlin. There is \$13.5 million to extend Mulligans Flat Road from Jessie Street in Forde to the New South Wales border and to build three water quality control ponds at Forde. There is \$11 million for the construction of the Bonner western distributor and sewer extension. The new road will provide access to the western side of Bonner and the eastern side of the proposed suburb of Jacka. There is \$7 million for the extension of Wells Station Drive from Turtle Rock Street, Harrison, to Horse Park Drive to provide access to the southern section of Harrison and the proposed suburb of Kenny.

There is \$9 million for the extension of Sandford Street from Flemington Road, Mitchell to Antill Street, Watson, to provide arterial road access into the eastern section of Mitchell and the southern section of the suburb of Kenny. And there is \$12.5 million over two years towards the construction of John Gorton Drive, a new arterial road funded in the 2008-09 budget to provide the trunk access to what will be Canberra's newest suburbs of Wright and Coombs in the Molonglo Valley. As is standard practice, these road projects are project managed by Territory and Municipal Services on behalf of the Planning and Land Authority.

Other areas of focus in the planning budget this year, as other members have mentioned, include the tune-up Canberra program, the support for the additional commercial and industrial land release programs through the commercial and industrial land supply strategy, support for the implementation of a range of intergovernmental agreements, the nation building and jobs plan task force and some important but perhaps not high-profile investments in record management system software upgrades.

One area that I know has been the subject of some community debate is how ACTPLA engages with the community. This is an area of some difficulty for the Planning and Land Authority. It is often wrongly accused of being the proponent of a particular project when all it is doing is its statutory role of notifying the public that it has received a development application from what is usually a private sector proponent but on occasion is the government.

ACTPLA is perhaps unfairly maligned at times in this area. Nonetheless, we believed that it was important to strengthen the authority's capacity to engage early with the community, particularly around the notification process—so having larger signs. I note that during the estimates process there was pretty broad approval for the new notification processes that the Planning and Land Authority is undertaking with larger signs that are sturdier and are less likely to be vandalised. It is a small measure, but it

is an important one to ensure that the community is aware of the range of development applications.

I note the estimates committee request for more information to be provided and to be retained on the department's website in relation to development applications. The only significant issue there really is the amount of data storage space. There are 4,500 to 5,000 development applications a year. That number will reduce as more are exempt and more go into the code track that will not require public notification. I do believe that over time that it will be possible to retain more of the merit and impact track development applications on the ACTPLA website. It is certainly the case that in the future there will be a need for fewer development applications because more are going through the other tracks that do not require development approval. That is another example of the new planning system in operation.

In closing, I might just make a couple of observations in relation to the criticism of the government and of me in this portfolio. Most particularly, I want to turn to the accusation that the Liberal Party is the source of all ideas in planning policy. I have to say with some amusement that Mr Seselja, in some of his planning policies, states the bleeding obvious. He makes a series of motherhood statements in relation to how one might go about providing resources to the Planning and Land Authority and then cries wolf when the statement of the bleeding obvious that everyone agrees on is picked up or is in some way implemented. Crazy. It is crazy to suggest that he has a monopoly on good ideas in the planning portfolio.

I know that Mr Seselja is very consumed with his own importance. He is the Leader of the Opposition, and we note that. But making an obvious statement that everyone agrees with and then suggesting that, because everyone agrees with it, they must have stolen it from him is at the outer edge of what reasonable public policy debate is about. In politics there is a bit of hurly-burly; you are prepared to cop a certain amount. But to suggest that you can simply make statements about the bleeding obvious and then suggest that other people are borrowing them is perhaps a little out there. I will close on those remarks.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.18—ACT Gambling and Racing Commission, \$4,274,000 (net cost of outputs), totalling \$4,274,000.

**MR SMYTH** (Brindabella) (1.00 am): It is an interesting commission, the Gambling and Racing Commission. We have much talk these days about people with problem gambling and we see the government responding, in conjunction with the community, particularly through ClubsACT, to ensure that there are programs out there. They are ably assisted, of course, by Lifeline and their counselling service.

I have had a number of briefings. Through you, minister, I would say thank you to the commissioner; he has been quite forthright and very accurate in what he does. We appreciate the efforts that the commissioner and his staff put into gambling and racing in the ACT.

It might interest members—I understand there is a news story running on the ABC—that the Labor clubs have been sold. Apparently the Tradies have bought them. Numbers like \$25 million have been mentioned. Again, I make the point about the conflict of interest that the Labor Party have, particularly members of this place, and have always had. They have never had the courage of their convictions, as Paul Osborne used to. When he was coaching a team for a club, he would stand aside from decisions on poker machines. At least he had the courage and the honour to do that.

But I do not think they were ever intended to give huge windfalls to political parties. If \$25 million is being taken from the community and is going into the coffers of a political party, that was certainly not what giving poker machine licences to clubs was intended for. It was there for the community to benefit; it was there for the benefit of members of the club. But yet again we see this huge windfall being taken from the community. The conflict of interest, I think, is now admitted by the fact that one branch of the Labor Party was transferring to the other branch of the Labor Party—that is, the CFMEU—these licences.

There is concern in this. This will be a huge organisation if this sale goes ahead, as has been reported. Somewhere between 23 and 25 per cent of all the poker machine licences in the ACT will be under the control of one group. That has to be of concern to fair-minded people. But I think the point is that it was not intended for this purpose; they were there to put money back into the community rather than see huge amounts of money siphoned out of the community and taken from the pockets of problem gamblers and put into the pockets of the Labor Party.

**MS BRESNAN** (Brindabella) (1.03 am): As Mr Smyth has mentioned, on this particular item there were a number of questions in the estimates process on programs which have been put in place on problem gambling and we did receive some information about that. So it is encouraging to see that this agency is putting in place those types of programs. That was the main thrust of the questions that came through, and it was good to see, again, as I said, that they do have those programs in place and are recognising that it is something which has to occur with this particular agency.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.19—ACT Insurance Authority, \$10,000,000 (capital injection), totalling \$10,000,000.

**MR SMYTH** (Brindabella) (1.04 am): The ACT Insurance Authority is very important in the work that it does in making sure that we have coverage for the ACT government and in the assistance they provide to the not-for-profit sector. It was interesting that, in the discussions that we had that in terms of liabilities that the Insurance Authority faces, members of the estimates committee were told that as a result of the 2003 bushfires there is still liability attached to what occurred on that day. As described by the officer responsible for the Insurance Authority, that liability is large. So we will certainly watch with interest what may occur there. Otherwise, it is a small unit. The appropriation is for some 14 staff. It is currently 15; it will go

down to 14 staff. It is a relatively important appropriation and I commend the appropriation to the Assembly.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (1.05 am): I have found the answers provided by Mr Matthews for the ACT Insurance Authority at the estimates committee very helpful in getting an understanding of the work they are undertaking with agencies to identify potential risks in their operations that can lead to increased costs and lower productivity. By identifying and minimising these risks, agencies can potentially save considerable costs.

We support the program that they have to assist agencies to examine their operations and decrease the total cost of insurable risk. Mr Matthews gave the example of the work done with ACTION buses. By building a database to record incident information and then analysing data, ACTION are able to build this into driver training, to reduce the number of incidents and costs associated with their staff and fleet of 400 buses. It is noted there are some welcome savings in the budget as a result of the decrease in the annual insurance premiums charged to agencies.

One issue we wish to draw to the Assembly's attention is insurance for midwives assisting with home births. The ACT Greens believe that Canberra women should have the right to choose a home birth if that is what is appropriate for them. Unfortunately, we are in a situation where women can no longer choose this option, as we no longer have any independent midwives registered in the ACT and government-employed midwives are not insured to attend home births, insurance being the key issue.

To address this, the parliamentary agreement calls on the ACT government to reconsider the option of midwives in the Canberra midwifery program attending home births by the end of 2009. The Greens appreciate that the ACT government have done this. We have been informed by the Minister for Health that for this to occur \$1 million will need to be allocated by ACT Health to the ACT Insurance Authority. But we have also been told that there are other pressing priorities this year and for that reason the funding did not get up. The Greens will continue to lobby the government on this over the next year and we expect to see it funded in next year's appropriation. The ACT Greens will be supporting this line in the appropriation bill.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.20—Actew Corporation Ltd, \$10,004,000 (net cost of outputs), totalling \$10,004,000.

**MRS DUNNE** (Ginninderra) (1.08 am): I would like to comment only briefly on Actew Corporation. My main concern here is that Actew has managed to creep up the costs of its major water security projects, such as the Cotter Dam, and that now the cost is more than twice what it would have been if the government had decided to build the dam back in 2005. In April 2005, Actew Corporation's future water options report estimated that the cost of the enlarged Cotter reservoir to 78 gegalitres would be \$120 million.

Then, for more than two years, the Chief Minister remained in denial about the need for a new dam. Mr Stanhope's record is clear. On 7 August 2005, he told the Assembly:

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

On 21 September of that year, he said:

If we could put it off forever—

that is, construction of another dam—

what a fantastic achievement by the ACT government that would be.

Finally, in a media release dated 31 July 2006, he proclaimed:

There is no need for many years, for example, to build a new dam in the ACT.

It was not until October 2007 that reality finally struck and the Chief Minister announced that the Cotter reservoir would be enlarged at a cost of \$145 million—already a \$25 million increase. Then, on 30 May 2009, the *Canberra Times* reported Actew Corporation's managing director as suggesting that the cost would be up to \$246 million for the same capacity that \$120 million would have bought us in 2005. For more than four years we have seen the Stanhope-Gallagher government dithering about, delaying the inevitable and, in the end, costing the taxpayers dearly.

We started with an estimate of \$120 million in 2005. We went through two years of denial and ended with the announcement of an enlarged Cotter Dam; it would go ahead but at a cost of \$145 million. After a further two years, the potential cost has suddenly rocketed to \$246 million. It sounds like the GDE all over again. In that case we got half the road for twice the cost. I hope that scenario is not replicated in the enlargement of the Cotter Dam.

All of this comes on top of the cost of water restrictions that Canberrans have had to endure over so many years now. But it does not end here. Actew's CEO told the estimates committee on 18 May that the Murrumbidgee to Googong transfer project, estimated by the ICRC in 2007 to cost \$96.5 million, would cost up to 30 per cent more, or up to a whopping \$125 million.

The Canberra Liberals went to the 2004 election promising a new dam at Tennent. This dam would have cost somewhere around \$150 million, with a capacity of up to 159 gegalitres. The people of Canberra would have had infrastructure with twice the capacity of the enlarged Cotter Dam and not far off the same cost. There has been some criticism of this alternative on the basis of claims that the Tennent catchment is less productive than the catchment in the Cotter area. That may or may not be the case but the fact remains that the Tennent option has been described by a number of Actew reports as one requiring serious consideration.

Indeed, Actew's 2005 future water options report reminded us that a dam at Tennent had been on the list of future water options at least since the 1960s and that provision for the reservoir had been included in the national capital plan in 1990. The report went on to say that the think water, act water strategy now requires that the Tennent option be seriously explored and judged against other selected options.

So the bottom line is that Tennent has been considered a serious option for decades. The Liberals recognised that and promised to deliver on that long-held knowledge but a Chief Minister in denial has thereby denied the people of the ACT the water security they deserve. It will end up costing Canberrans more than twice what it could have, plus put Canberra through years of water restrictions, and has created considerable distress for many Canberrans who were once proud of their flourishing gardens and proud of their beautiful garden city.

**MR SMYTH** (Brindabella) (1.13 am): I want to raise one issue with members tonight, given that Mrs Dunne has dealt with much of what needed to be said. I simply want to mention the proposed pipeline from the Murrumbidgee to Googong Dam, particularly concerns in the community about this pipeline and particularly the impact of the 100 megalitres being poured into Burra Creek. I think all members should watch this issue with a great deal of interest.

There was a very interesting interview on Triple 6 the other day with Peter Duffy, who is a member of the land care group at Burra and who spoke about that pipeline. He raised concerns about what a 100-megalitre flow in the creek itself would do. He talked about how he had visions of concrete drains being formed. I guess he raised a sense that initially people thought Actew were not taking their concerns seriously, that they are now finding them, and he congratulated Actew on being more sensible in the way that they are treating this issue. A number of people have raised it with me. They do not see how suddenly pumping, during the pumping stage, a 100-megalitre flow into a creek cannot have anything but some effect upon the creek and the way it exists at the moment.

Hopefully, minister or the two shareholders, through the shareholders back to Actew, we do get this right. The ability to transfer that water out of the Murrumbidgee to Googong is certainly worthy of the project going ahead but not at the expense of that community that live on that part of the transition course, the transfer course, that is currently a naturally flowing creek. So I am sure we will all keep an eye on that project.

**MR RATTENBURY** (Molonglo) (1.14 am): Like Mrs Dunne, I would like to look at some of the water security projects being discussed by Actew. I guess I have a different perspective on it. Mrs Dunne identified some of the increased costs of the enlarged Cotter Dam and the increases there of 50 to 70 per cent. She also referred to the Googong pipeline which started out at \$96.5 million but is now looking at a cost of up to \$125 million.

Obviously, these numbers are of great concern when you consider cost changes. But it was interesting in the estimates process when we asked Mr Sullivan about some of

these issues. I was concerned about the way Actew seems to systematically underestimate the cost of major projects, let alone the costs that flow through later with the increase in, say, steel prices. I go to the transcript from that hearing and quote from Mark Sullivan, the head of Actew. I draw the distinction there, of course, between Actew and ActewAGL. I am slowly learning what the two organisations actually do.

We asked about costs and were asking about the total outline cost. Mr Smyth was there at this time at least; I think Mrs Dunne was as well. Mr Sullivan was talking about how Actew thought they had benchmarked themselves against other organisations as to whether they were doing a good job on this total outline cost. What he said was:

We tend to always have a low estimate at the start, despite people trying to encourage it to be as reasonable as possible. We have a peer review to have it confirmed. Then, by the time we get to this total outline cost ... we generally see a fairly large increase.

I am no expert in what a total outline cost is but I read that as Mark Sullivan telling the estimates committee that basically Actew start with a price and they know it is going to be much more. This is where the rubber hits the road on this one. What we have basically got is a situation where Actew come along and say, "We're going to build you a new dam and we're going to build you a pipeline to deliver water security. This pipeline is only going to cost you \$100 million." The community think, "Okay, that is a cost we can bear." The government think, "That is a cost we can bear." Actew know it is going to cost a lot more somewhere down the line. I find this a very bizarre way to go about getting approval for projects and engaging with the community.

I think that is something we need to bear in mind very closely next time Actew come along with a new proposal. We need to have a close look at what their current cost is and what the eventual total outline cost may well turn out to be. I am not suggesting these projects should not necessarily happen but I think the ACT community should be as fully informed as they can be and be aware of Actew's standard process in underestimating the cost. Unless we know how much these things are going to cost, we cannot decide on the true value of the project or, importantly, other policy alternatives.

I want to take that opportunity to come back to a discussion we were having earlier about the issue of increase in supply versus the need for energy efficiency. Mr Corbell was making some comments there. I guess I would like to take the opportunity to say that the Greens are not opposed to the increase in supply. We have, for example, been quite clear that the increase in capacity of Cotter Dam is a sensible approach to increasing the ACT's water supply.

It is about balance. In my speech earlier I made reference to the fact that we are looking at water efficiency programs in the ACT with a six-figure price tag. I think it was \$545,000 I mentioned, and we are looking at \$360 million-odd worth of supply site increases here. I think that is not balanced. To me, there is a lot more we can do.

I guess that is where I philosophically come out a little differently from Mrs Dunne, in that I do not think we can keep on increasing supply.

We saw in the minister's recent ministerial statement on water the massive decrease in inflows into the ACT's water supply system. The rain will not keep coming and we do have to become a more water efficient city. So I think we need to look at better balance in where we are spending our money.

I think that we are going to have to keep a very close eye on the Actew budget and the way Actew is pricing some of its projects. We are going to clearly need to go back to the ICRC because, of course, all of these cost increases are passed through to the ACT community. There is no question now that, in light of these changes to the costs of major infrastructure, the ICRC has been recommended to update its analysis of the cost of the major water security projects. The Greens support this, in light of the comments that have been made, because we need to get the full and true story on the table so that we can know what we are facing.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.21—Canberra Institute of Technology, \$64,769,000 (net cost of outputs) and \$13,967,000 (capital injection), totalling \$78,736,000.

**MR DOSZPOT** (Brindabella) (1.20 am): I must note on this line item the propensity for the minister for education, as I have been noting all night, to take advantage of media opportunities. His timing today was impeccable. It seems the minister has timed his announcement of the extra scholarship to CIT to coincide with today's business. It obviously gives him a good news story to spin. Well done.

**Mr Barr:** It was in the budget, Steve. It is a pretty important initiative.

**MR DOSZPOT:** I am complimenting you, Mr Barr. I know it is late. CIT provides an important training facility in the ACT landscape, particularly at a critical time when there is talk of increasing the school leaving age to 17. CIT also plays a major part in addressing the serious skills shortages that exist currently in the ACT. The \$400,000 budget this year for the master plan and capital works for the CIT is there to look at options for improving the infrastructure of ageing facilities. I note that commonwealth funding for infrastructure may be sought to boost this and will assist in bringing the buildings and facilities up to standard.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (1.22 am): The ACT Greens are particularly pleased to see a focus in the CIT budget on green technologies and industry partnerships through a proposal to construct a facility—electrotechnology training at the Fyshwick Trade Skills Centre. We understand that the \$9.9 million to be invested over four years will provide the training and equipment needed for students as we move towards improving our capacity to handle the challenges that climate change presents.

When we look at the focus on climate proofing for new housing and buildings and the recent stimulus packages from the commonwealth and the ACT government, there is

clearly a big demand for these skills. In this regard, federal funding of more than \$6 million provided last week under the federal government's training infrastructure for tomorrow program to build a new sustainability skills training hub at the CIT's Bruce campus is also welcome.

This building will be used to train students in the installation, testing and maintenance of the latest green building materials. The COAG productivity places program, which seeks to deliver 10,000 additional training places in the ACT for existing workers and job seekers, will present some challenges, we expect. We note from Ms Davy's response at estimates that the ACT government has only recently signed up to that productivity places program, so we are just starting to work with the commonwealth around developing an implementation plan around that.

Ms Davy also indicated that we may need to negotiate some of the targets in terms of numbers around those places. Our concern relates to the ability of our system to source the 10,000 students, the resources needed to deliver the training programs and the infrastructure to train and house the additional students. We look forward to seeing how the minister and the department approach this challenge so that the ACT can capitalise on the COAG program and build on our skills in the ACT.

The increase in school-based apprenticeships for an additional 100 places to enable year 12 students to engage in paid work, training and study and achieve a nationally recognised vocational qualification is needed, particularly in light of the minister indicating he is moving to increase the school leaving age to 17. Minister Barr also advised in estimates that the additional 100 students will be based in schools and the central office of the Department of Education and Training. Again, operationally there is a clear need to look at the issues that arise when 200 students will need training places or work in the ACT.

Other initiatives which centre on supporting apprentices to stay in work and assist with materials and fees in areas of skill shortages are welcome. We would like to see, however, the government advise the Assembly on the areas that are highlighted as being short on skills. In particular, in the current economic climate we would like to know whether building trades, nursing, childcare, community services and age care are affected and, if so, what specific strategies are being put in place to attract people to acquire the skills necessary to take up employment in these areas. The ACT Greens will be supporting this line in the appropriation bill.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.22—Cultural Facilities Corporation, \$7,435,000 (net cost of outputs) and \$2,222,000 (capital injection), totalling \$9,657,000.

**MRS DUNNE** (Ginninderra) (1.25 am): The sorry tale for the people of the ACT, and indeed all Australians, is the government's handling of the Nolan Gallery at Lanyon and the commonwealth's Nolan collection of which the territory is custodian, not owner. This has been a sorry tale from the beginning. We have to ask: why did the Nolan Gallery close? It has been said it was because of high humidity levels and declining visitor numbers. In a climate as dry as Canberra it is hard to fathom the

rationale for there being such high humidity levels, but I will leave that to experts to assess. My hypothesis is to suggest that art galleries the world over are required to confront issues of high humidity in their facilities and I would reckon that they could take steps to engage technology to encounter those issues to ensure the preservation and protection of the artworks.

It would seem to me extraordinary that technology would not be available to counter the effects of humidity at the Nolan Gallery. In terms of visitor numbers, the minister in his answer to a question on notice provided some figures on visitor numbers as well as the number of special exhibitions and activities. I note that the information that the minister provided in answer to questions on notice varies significantly from the assertion that he made today in question time that the average visitor numbers to the Nolan Gallery over the past few years has been 5,000 visitors. I seek leave to table a graph that shows this data from 1998-99 to 2005-06.

Leave granted.

**MRS DUNNE:** I table the following paper:

Nolan Gallery—visitor numbers and activities—graph.

This graph shows that the onsite visits did, indeed, decline over the years 2004-05 and 2005-06. It also shows that the number of special exhibitions has been largely static over the years, with an increase from four to seven in the last year of operation at Lanyon. The most telling data is the number of special activities. It shows that visitor numbers fluctuated directly in line with the fluctuation in the amount of special activities provided. With a decline in number of special activities over 2004-05 and 2005-06, visitor numbers to the gallery declined accordingly. Rather than throwing his hands up in the air and preaching gloom and doom of visitor numbers, perhaps this graph provides a simple picture with a simple answer for the minister. But it is interesting to note too that the government has allocated \$2.6 million over four years for capital works to be undertaken at Lanyon under the historic places major project, which has a total cost of some \$3.7 million over the same period.

The Lanyon allocation includes a range of works which will include the public amenity of the property as well as conserve its heritage values. But none of that has been considered for allocation to the Nolan Gallery—not a dollar. It will continue to languish while the attractiveness of its surrounding precinct will be enhanced for what will surely draw increased visitors to the area. It is interesting, I think, that this government can take on a project that will create a doughnut effect at Lanyon. No doubt Lanyon's beauty will be enhanced considerably by this project but sitting right in the middle will be a building with considerable potential which will be empty, unused and in a sorry state of repair, thanks to the Stanhope government.

The word “priority” comes to mind—“priority”, the act of working out the main concern, the precedence and the right way ahead. With a little imagination and determination, both of which this government seems to lack, the Nolan Gallery could be returned to its former glory and its purpose returned. It could be done in concert with the rest of the capital works activities to be undertaken at Lanyon and we could

return to Canberrans and all Australians a facility which was the vision of the late Sir Sidney Nolan.

It is also most interesting to note that the 2004 feasibility study into the Nolan Gallery recommended:

Expansion of the Nolan Gallery building, to incorporate additional facilities that would enhance the overall visitor experience and understanding of the works, and that would ensure that these works are cared for more appropriately.

The recommendation went on to say:

This option would also need to implement measures to provide visitors to the Lanyon Estate with improved introductory information.

It recommended that it should “incorporate a visitor information orientation centre for Lanyon”. This was a visionary recommendation which, if accepted and implemented in the context of the historic places major project, would have created a holistic experience for visitors to Lanyon in a precinct which would surely be the envy of any community in Australia. It would have given the Nolan Gallery its rightful position, as Lady Nolan put in her submission to the 2004 study, as an important part of the modern history of Lanyon. It would also be a fitting celebration of the 30th anniversary next year of the opening of the Nolan Gallery. It is regrettable that the government could not share that vision. I hope the minister will heed the estimates committee’s recommendations in relation to this unique and iconic place in Canberra.

Finally, notwithstanding my remarks about the Nolan Gallery, by which I stand, I take a moment to compliment the work of the Cultural Facilities Corporation and its staff. The corporation has very diverse roles, from putting on concerts and exhibitions to running educational and community activities, hiring out venues, maintaining historical places, managing construction projects, reviewing the adequacy of the ACT’s cultural facilities and associated infrastructure, developing and nurturing partnerships with the business community and sister cultural organisations and caring for and developing the Civic Square precinct.

Any organisation that can deliver on such a wide range of duties with all the complexities, nuances and idiosyncrasies that this involves deserves commendation. The Cultural Facilities Corporation, under the leadership of board chair, Professor Don Aitkin, and the CEO, Ms Harriet Elvin, delivers on all of these activities with a great deal of professionalism, enthusiasm and dedication. Together, as a team, the people of the Cultural Facilities Corporation do a great deal to enrich to lives of Canberrans, to encourage and develop our interest in the arts and heritage and to create opportunities that embrace our community as a whole and that are accessible to everyone. I am sure the people of Canberra do not truly appreciate what goes on behind the scenes at the Cultural Facilities Corporation to deliver all those benefits to the community. It is analogous to the vision of ducks swimming on a pond.

I am sure that all Canberrans appreciate what they experience at Lanyon, the Canberra Theatre, the Playhouse, Mugga Mugga, Calthorpes House and the Canberra Museum and Gallery, and the ambience of Civic Square. I commend the work of the Cultural Facilities Corporation.

**MR RATTENBURY** (Molonglo) (1.33 am): I rise to quickly acknowledge that Ms Le Couteur referred to these issues earlier when she spoke about the arts portfolio. We do not intend to reiterate those points other than to simply say that the Greens support this section of the budget.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.23—Independent Competition and Regulatory Commission, \$485,000 (net cost of outputs), totalling \$485,000.

**MRS DUNNE** (Ginninderra) (1.33 am): The Independent Competition and Regulatory Commission has a great range of responsibilities under its act in relation to the Utilities Act, the greenhouses emissions act and the more recent electricity feed-in tariff act. I cannot remember its name, but we all know what we are talking about.

**Mr Barr:** It is getting late.

**MRS DUNNE:** It is getting late. The role of the ICRC is to promote competition in the interests of consumers and to ensure that there is a balance between economic efficiency and environmental issues, which is really brought out in great detail when you look at the work done by the commission, say, in relation to the setting of water prices. It is not an easy task and the staff of the ICRC have a difficult path to lead, especially in areas of water and energy pricing. There are a number of experts around the place who have views which are volubly expressed to the commission.

Under the Utilities Act, the commission provide for regulation of electricity, natural gas, water and sewerage. They have responsibility for ensuring that the provision of these services is safe, reliable and efficient, that they encourage long-term investment in utilities, that they protect the interest of consumers and that there is not any misuse of monopoly powers.

Under the Electricity Feed-in (Renewable Energy Premium) Act—that is what it is called—one of the new responsibilities of the ICRC is to provide advice to the minister to assist in determining the premium rate for electricity. The commissioner has expressed views about the possible impact on electricity pricing of a wide-scale uptake of renewable energy and the impact that that might have on more disadvantaged people in the community, which is advice that we must take very careful heed of when we are determining these things.

The commission provides a very important overview of how we look after our essential services. It also provides advice to both the government and other members of the Assembly and to the wider community on the operation of the programs. I commend the work of the commission, the commissioner and his very modest staffing establishment which, I was surprised to learn, is as many as six. I thought it was much less than that. I commend the work of the commission. The Liberal opposition are generally in support of the work done by the commission.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (1.37 am): We note the vital work that the ICRC undertakes in relation to water, energy pricing

regulation, access arrangements, utilities regulation and competitive neutrality complaints. It is important, therefore, that the Assembly support the work of the ICRC and the recommendations it puts forward. A recent recommendation in the ICRC's report No 3 of 2009 was to increase electricity concessions. We see this as vital to protect low income earners and the disadvantaged from rising electricity prices. We look forward to seeing that recommendation being taken up by the government. The ACT Greens will be supporting the funding provided in the appropriation bill for the Independent Competition and Regulatory Commission and congratulate it on its work.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.24—Legal Aid Commission (ACT), \$8,020,000 (net cost of outputs) and \$2,269,000 (capital injection), totalling \$10,289,000.

**MS BRESNAN** (Brindabella) (1.39 am): I would just like to make a few comments about the homelessness and elder law pilot project that is being supported through this budget. One of the specific initiatives that we had included into the parliamentary agreement was to provide a legal service for homeless people and people at risk of homelessness. This particular project, put together by the Legal Aid Commission with the support of community legal centres and the Aboriginal Legal Service, goes a step or two further.

The advantages of this project are that it is also about providing legal services to older people and that it will draw on federal funding. The disadvantage at this stage is that it is only a pilot project and there is no funding put aside for the outyears. I notice that, while the project is intended to encourage private legal practitioners on a pro bono basis, that contribution is not a key feature of the scheme. The argument has been quite strongly put to us that this does need to be an ongoing feature of the service, for a number of reasons.

On the one hand, it is about growing the community contribution of private legal firms in the ACT. That in itself is a good thing. There is also something there about keeping the service focused on its purpose. A funded operation such as legal aid, or any stretched community legal service, is always going to be tempted to allow some of that work to slip back into, say, the criminal law area or to be used to meet the general demands being placed on the service overall.

Pro bono work contributed by private businesses will more specifically be directed to addressing the needs of the target client group. I am pleased to see this pilot project funded, but I hope that as it develops over the next few years Canberra's private practices make an increasingly significant contribution.

**MRS DUNNE** (Ginninderra) (1.41 am): The Legal Aid Commission for the ACT is established by the Legal Aid Act and provides a range of legal services within the territory. It is funded both by the ACT and the commonwealth government. That funding has since about 1996 been somewhat problematic, with the commonwealth funding being quarantined for commonwealth matters only, which has made the process of providing legal services through not just the ACT's Legal Aid Commission but all state and territory legal aid commissions much more difficult and with much

more accounting work done. It has been reported to me by the current CEO of the commission and others that the problems associated with this are a drain on the services that can be provided by the Legal Aid Commission and sometimes create artificial barriers to providing a holistic service.

I am hopeful that in finalising the new funding agreement between the ACT and the commonwealth we may be able to overcome this rather silly arrangement, which has been criticised by successive attorneys-general from Gary Humphries all the way through, and that we may come up with a more rational approach to funding.

Like Ms Bresnan, I welcome the pilot project, the two-year project in relation to homelessness and elder law, and I welcome the wide collaboration of the commission with the Aboriginal Legal Service, the Council on the Ageing and other legal services. I hope that it will bear fruit in providing access to legal services for people who previously have not perhaps even considered that they have a chance of obtaining legal services.

It is interesting to note that in the report that was brought down this morning in relation to the annual reports, Mr Crockett, the Chief Executive Officer of the Legal Aid Commission, explained in relation to their close liaison with the Aboriginal Legal Service that through closer cooperation between the services there has been an expansion of services made available to Indigenous people in the ACT, many of whom would not have previously approached the Legal Aid Commission for assistance because they thought it dealt predominantly with criminal matters and they were perhaps ashamed or unwilling to go to a place where criminal matters were dealt with. Through close cooperation emanating from the memorandum of understanding, in fact there has been a substantial expansion of services to Indigenous people through the Legal Aid Commission.

That is a model that will probably bear fruit in other areas, and I hope that the experience of the MOU between the commission and the Aboriginal Legal Service will be used as a model for the expansion of this homelessness and elder law project to the benefit of a group of people who are particularly vulnerable in the community.

I commend the hard work and the professionalism of the officers of the Legal Aid Commission. I also note that there is a proposal to amend the Legal Aid Commission's act so that the commission has more power to be discerning about who is on the panel of people who provide pro bono work, to attach requirements and conditions to membership of the panel, to be able to impose practice standards on people on the panel and ensure that, while we might have a smaller panel of people who are listed for doing pro bono work, we have a higher quality list of people doing pro bono work. I commend the work of the Legal Aid Commission.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.25—Public Trustee for the ACT, \$655,000 (net cost of outputs), totalling \$655,000.

**MRS DUNNE** (Ginninderra) (1.46 am): The work of the Public Trustee is one that is growing in prominence, as it should, in the ACT. Its flagship, GreaterGood, the

Capital Region Community Foundation, is one of the vehicles whereby people in the ACT community have started to recognise the work of the Public Trustee. It is a way of people coming to understand the other services, which include the preparation of wills and enduring powers of attorney, administering estates and looking after trusts. The Public Trustee also have responsibility for looking after the legal and property interests of people with disabilities where they are appointed as financial managers or financial guardians.

The Public Trustee, along with the Public Advocate, has been working for some time to increase awareness and take-up of enduring powers of attorney, which is an important issue, especially with an ageing population in that there may be more call on the officers of the Public Trustee to look after that. It does substantially good work, through a range of venues, of making its services available.

The establishment of GreaterGood community foundation has been quite well taken up and I compliment the officers of Justice and Community Safety for their active embracing of GreaterGood, and I encourage other workplaces, if they are looking for somewhere to make charitable donations, to consider making a contribution through the Public Trustee to the GreaterGood community foundation.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (1.48 am): As Mrs Dunne has outlined, the Public Trustee is the first choice of trustee and related services in preparing wills and enduring powers of attorney and administering estates and trust management. It is also, obviously, the office that looks after the financial and property interests of people who may have a disability and who have appointed the office to be their financial manager or guardian, and it does a very good job in this area.

Just focusing on GreaterGood, the Capital Region Community Foundation, I met with this foundation some time ago. They are doing some great work around the ACT. I know that they work with young people and disadvantaged young people and are also looking at how they can set up a reference group of young people who can also play a role in the types of things that GreaterGood may end up financing or funding—some great moves and some great work that is going on there.

I also acknowledge the great work of the Public Trustee in establishing or promoting GreaterGood's work to get workplaces on board to be regularly giving to that fund that then can go on and provide the necessary funding for some very important community projects out there that are needed in the ACT, particularly for vulnerable people. Of course, in a time of global financial crisis we are going to see more of those people who may well need to receive the sorts of programs or assistance that foundations like GreaterGood can provide. So the Greens are happy to be supporting the appropriation for the Public Trustee of the ACT.

Proposed expenditure agreed to.

Total appropriated to agencies—\$2,204,033,000 (net cost of outputs), \$993,442,000 (capital injection) and \$489,676,000 (payments on behalf of the territory), totalling \$3,687,151,000.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.26—Treasurer's advance, \$36,800,000.

**MR SMYTH** (Brindabella) (1.52 am): Over the four years to 2007-08, the use of the Treasurer's advance varied from 33 per cent of the budget of \$23 million in 2004-05 to 89 per cent of the Treasurer's advance budget of \$29 million in 2007-08. My view is that, in effect, it is becoming an inefficiency dividend: if you cannot manage your budget, if you cannot stick to budget, you simply come back to head office and get some more.

It is interesting to recall what happened in the last two weeks of June last year; that is for the 2007-08 financial year. Eleven allocations were made from the Treasurer's advance and, given the very brief details provided about each of these allocations, a number of questions could be asked about whether these allocations complied fully with the requirements of the Financial Management Act. Moreover, for instance, TAMS, after using \$10 million or 56 per cent of the Treasurer's advance in 2006-07, then used \$11 million or 40 per cent of the Treasurer's advance in 2007-08. That is, TAMS applied for the lion's share of the Treasurer's advance in each of these years.

In 2008-09, the budget for the Treasurer's advance is \$32 million. As at 11 June, \$4 million had been spent. I asked the Treasurer a question about the prospective use of the Treasurer's advance in 2008-09 during estimates and the Treasurer has told me that 10 departments or agencies had either active or potential claims for funding from the Treasurer's advance. These range from some larger organisations or departments such as education and training, JACS and, yes, again, TAMS, to the very small, such as Exhibition Park Corporation and the Legal Aid Commission. It will be most interesting to see how much of the balance of the \$28 million is allocated by next Tuesday. More particularly, I will be seeking an insight into whether the Treasurer's advance has become a refuge for poor management, be this poor budgeting or poor anticipation or poor reporting.

At this point, as we consider the quantum of the Treasurer's advance for 2009-10, I will be looking for an appropriate scrutiny by the Treasurer of proposals for access to the Treasurer's advance.

**MS BRESNAN** (Brindabella) (1.55 am): I seek leave to table documents consisting of speeches ACT Greens MLAs planned to give in response to the budget, and to move that they be authorised for publication.

Leave granted.

**MS BRESNAN**: I present the following paper:

Budget reply in detail—Unread speeches.

I move:

That the paper be authorised for publication.

Question resolved in the affirmative.

Proposed expenditure agreed to.

Total appropriations—\$2,204,033,000 (net cost of outputs), \$993,442,000 (capital injection) and \$489,676,000 (payments on behalf of the territory), totalling \$3,723,951,000.

Question put:

That the proposed expenditure be agreed to.

The Assembly voted—

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.

Proposed expenditure agreed to.

Clauses 1 to 11, by leave, taken together and agreed to.

Schedule 2 agreed to.

Title agreed to.

Question put:

That the bill be agreed to.

The Assembly voted—

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.

Bill agreed to.

## Adjournment

Motion by **Mr Corbell** proposed:

That the Assembly do now adjourn.

### At home with books program

**MRS DUNNE** (Ginninderra) (2.01 am): Yesterday evening, Ms Burch spoke about the IMB Community Foundation awards and listed all the local recipients, and I congratulate those recipients as well. One of the programs that was funded by the IMB foundation has really taken my eye. I encourage members to take notice of that program—I commend it to the minister for children and family services as well—and it is the at home with books program run by Marymead. At home with books is a program to encourage the language and literacy development of children in out-of-home care as well as children in vulnerable circumstances.

Marymead has created a system whereby each month the children clients of Marymead receive a new book as a gift. The children receive this book and they are able to write their name in it and they are able to keep it forever. Each book is specially stamped with the name of the child and it is their book forever. The child gets an opportunity to choose the book themselves from Marymead's friendly book room. At home with books encourages parents and foster carers to read to and with children. It also provides workshops and newsletters to promote books.

I would encourage members in this place, seeing it is coming to the end of the financial year and it might be time for people to donate to charities, to consider at home with books, which relies entirely on donations to provide new books to children who are very vulnerable in the Canberra community. I commend Marymead for this outstanding program and I commend it to members of the Assembly.

### World Refugee Day

**MR DOSZPOT** (Brindabella) (2.04 am): There were some serious issues that I thought I might report to the Assembly on. Last week was World Refugee Week—

*Government members interjecting—*

**MR DOSZPOT**: Labor members are exhibiting about as much respect for that as they did by not attending most of the functions. Saturday, 20 June was World Refugee Day. I attended three functions on Saturday that celebrated World Refugee Day.

The first one I attended was a luncheon at Kashmir House, at the invitation of Forum Australia and its patron, Mr Mohammed Ali, to hear a number of speakers address the topic "Pakistan facing challenges: the way ahead". The main speaker was the High Commissioner of Pakistan, His Excellency Jalil Abbas Jilani. During the course of the lunch, there was mention of Pakistan's major problem at the moment: internal displacement of Swat civilians, which is the biggest exodus after the Rwanda crisis in 1994.

In the last four weeks, 1.5 million people have registered for assistance, bringing the total number of refugees to 3.5 million. The refugees are displaced civilians, including a large number of children, women and elderly people. According to the United Nations, 130,000 refugees are in camps and others are accommodated in friends' and families' houses—up to 85 people in one house.

The second function I attended, Madam Assistant Speaker, was one held by the United Nations: the UNHCR World Refugee Day, and it was a community gathering at the Theo Notaris Multicultural Centre. It was emceed by Ms Maureen Sheehan from the ACT Department of Disability, Housing and Community Services, and a special address was given by Mr Richard Towle, the UNHCR regional representative for Australia, New Zealand, Papua New Guinea and the Pacific. It was rather sad to see lots of apologies from federal Labor politicians and local Labor politicians, but we were there to observe the global theme for World Refugee Day on Saturday, 20 June, talking about real people and real needs, which the United Nations wanted us to commemorate.

The third function that evening, Madam Assistant Speaker, was at St John's Church in Holt, where we heard from former refugees from Burma, Sierra Leone and Sudan, again celebrating World Refugee Day. We heard their stories of hardship, how they made their very significant journeys from their homelands before settling in Australia. Again, the theme of the evening was "real people, real needs".

My thanks to Mr Bev Purnell of the Refugee Resettlement Committee of St John the Apostle parish, Kippax, and to the organisers of the refugee program for the assistance they provide to those people. I also commend Ms Mary Porter from the local Labor Party, who was in attendance at that function.

### **ACTION bus service—Belconnen bus interchange**

**MR COE** (Ginninderra) (2.07 am): Since 25 May, I have received numerous constituent complaints regarding bus services in the Belconnen town centre. On 25 May the new temporary yet long-lasting bus arrangement commenced. Belconnen commuters did not think that facilities for bus travellers could get worse than the now decommissioned Belconnen bus interchange. The Belconnen bus interchange was, as the minister put it in question time today, awful. It was in a dilapidated state, did not provide a comfortable environment for commuters, and had significant crime and vandalism problems. It was a significant disincentive to bus commuters. Nothing, minister, was changed when it was painted a different colour within a year of closing.

The colour of the paint on the walls at the interchange was an attempt to put a slightly different gloss on the same problem. The new paint did not fix the holes in the roof, improve the comfort of the waiting area, make the buses run on time or prevent crime and vandalism. I suspect that if the Chief Minister—he is not here—asked people who continue to use the interchange whether their commuting experience had been improved by the paint, I am sure he would receive a universal no.

I would suggest that spending \$50,000 on this cosmetic change to the interchange, when the Department of Territory and Municipal Services knew it would be

decommissioned within a year, is an extraordinary example of government waste and irresponsibility by the government. By saving just over \$50,000 from the ACTION budget, the government could have avoided the need to increase the price of the shoppers off-peak daily. We could have avoided all the fare increases and more if ACTION could have found those efficiencies of \$4 million or \$5 million that were flagged by officials in the estimates hearings.

The hopes of ACTION's Belconnen's commuters have been dashed with another basic service delivery failure of this government. Yet again, this government is running ACTION for its own convenience rather than that of the travelling public. The "temporary" arrangements that will be in place for around two years do not meet the service standards that commuters expect. These arrangements are a significant frustration to commuters.

Commuters now endure a situation that is very substandard indeed. Commuters now face the following challenges: shelters that do not allow any protection from the weather; the distance from Westfield via the "red bridge"; no bathrooms; bus stops that are dirty and are not cleaned regularly enough; too few seats while waiting for a bus; difficulties with the timetable and meeting connections; buses departing from different bays; a lack of passenger assistance and signage; and a walk to the Belconnen community services, the government shopfront or the library that is simply too far.

I wrote to the minister on 5 June 2009, asking him to adequately provide for ACTION bus commuters. I look forward to his response and to the minister taking action on behalf of Belconnen commuters. It is about time, Mr Mayor, that you faced up to the task, concentrated on your portfolio and started to get the basics right for ACTION commuters.

Question resolved in the affirmative.

**The Assembly adjourned at 2.11 am until Tuesday, 18 August 2009, at 10 am.**



## Answers to questions

### Roads—traffic and parking fines (Question No 30)

**Mrs Dunne** asked the Attorney-General, upon notice, on 10 February 2009:

- (1) What was the total number and value of traffic and parking fines issued by (a) type (ie, traffic or parking fines) and (b) residency (ie, as to whether the offender resided in the ACT or elsewhere for (i) 2005-06, (ii) 2006-07 and (iii) 2007-08.
- (2) What was the average time taken for offenders to pay fines for those years listed in part (1).
- (3) What was the total number and value of traffic and parking fines unpaid by (a) type and (b) residency as at 30 June in those years listed in part (1).
- (4) What is the ageing of traffic and parking fine debts, as at the most recent internal management reporting date, by (a) type, (b) number, (c) aggregate dollar value and (d) residency according to the period intervals of (i) 30 days, (ii) 60 days, (iii) 90 days, (iv) 180 days, (v) 1 year, (vi) 5 years and (vii) more than 5 years.
- (5) What is the process that the relevant agency uses to follow up on unpaid debts.
- (6) Has the process outlined in part (5) been followed in relation to the debts listed at part (4); if not, why not; if so, why, according to The Canberra Times on 22 January 2009, are there debts totalling more than \$13m.
- (7) Has the effectiveness of this process been evaluated in the last five years; if not, why not; if so, (a) when, (b) what recommendations were put forward as part of the evaluation, (c) which of those recommendations were implemented.
- (8) If any of the recommendations outlined in part (7)(c) were not implemented, why not.

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

- (1) See attached spreadsheet
- (2) See attached spreadsheet
- (3) See attached spreadsheet
- (4) See attached spreadsheet
- (5) The Department of Territory and Municipal Services follows the legislative provisions of Part 3 of the *Road Transport (General) Act 1999*. Part 3 provides for the service of infringement, reminder and suspension notices. A suspension notice requires the road transport authority to suspend the driver licence, vehicle registration or right to drive of the person responsible for the infringement notice if the notice is not paid. This suspension is not lifted until the outstanding fine has been paid.

- (6) Yes. The outstanding debt includes infringements that date back to 1980. These infringements remain on the rego.act database and payments are collected from customers when they apply for an ACT Driver Licence at any time in the future.
- (7) Traffic and parking infringement recovery was considered as part of the Collection of Fees and Fines Auditor-General Report No. 3 2007. The recommendations relating to improvements to recover traffic and parking infringement penalties were recommendations 5, 7, 8 and 9.

Recommendation 5 was that the Department of Justice and Community Safety (JACS) implement the recommendations of the Department of Territory and Municipal Services (TAMS) internal audit to:

- (i) document the follow up of outstanding parking infringement notices;
- (ii) establish documented quality assurance procedures; and
- (iii) ensure that reasons for Parking Infringement Notice withdrawal are consistent with Ministerial notices.

As noted in the Auditor-Generals report parking operations transferred from TAMS to JACS in 2006, but responsibility for following up outstanding parking infringement notices was not transferred.

Staff conform with an established process for the reviewing requests to withdraw, this ensures consistency by staff in the application of the Guidelines, *Notice of Guidelines about Withdrawal of Infringement Notices under the Road Transport (General) Act 1999*.

Recommendation 7 was that TAMS and JACS consider the merit of entering into bilateral arrangements with other jurisdictions, particularly NSW and Victoria, regarding the exchange of demerit points and the collection of traffic and parking infringement penalties incurred by interstate motorists. The recommendation also suggested that consideration be given to using debt collection agencies in other jurisdictions to recover debts incurred in the ACT by interstate motorists.

TAMS has written to the NSW Roads and Traffic Authority to ascertain whether it would be willing to participate in a cross-border scheme to enforce traffic fines. However, the response received advised that NSW would be pursuing cross-border infringement penalty recovery through jurisdictional forums, rather than entering a bilateral agreement.

The issue of using debt collection agencies for outstanding amounts is being considered by an Inter-departmental committee on debt recovery, being led by ACT Treasury.

Interstate demerit point exchange (DPX) is being progressed at a national level through the Austroads Registration and Licensing Task Force. The major consideration that this group needs to finalise is the consideration of whether demerit points applicable to the offence in the jurisdiction where the offence occurred should be applied (the Rome rule). It is expected that this work will be finalised in 2009. Rebuilding the ACT DPX system will only proceed once a decision on the Rome rule is reached.

Recommendation 8 was that TAMS resolve resourcing issues to enable the timely implementation of enhancements to rego.act, where those enhancements will improve the collection of road transport fees and fines.

Additional funding for the rego.act system provided in the 2008/09 budget is supporting the development of a range of functionality enhancements to rego.act, including a number which will enhance revenue collection.

Recommendation 9 was that JACS and TAMS consider the benefits of reviewing the veracity of statutory declarations being used to avoid parking and traffic infringement penalties.

TAMS has undertaken a review of more than 54,000 statutory declarations presented to transfer liability of traffic camera infringements to a third party. While the use of false or misleading statutory declarations cannot be ruled out, the review

All supporting evidence is carefully scrutinised by Parking Review before a decision to withdraw is made on a case by case basis.

(8) See response to question 7.

*(Copies of the attachments are available at the Chamber Support Office).*

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### **Public service—disabled persons (Question No 76)**

**Mr Doszpot** asked the Minister for Disability and Housing, upon notice, on 25 February 2009 (*redirected to the Chief Minister*):

- (1) How many people with a disability are in (a) permanent full-time, (b) permanent part-time and (c) casual employment in the ACT Government.
- (2) What percentage of each category does this represent.

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

- (1) The number of employees as at 15 April 2009 who have identified as having a disability is:
  - (a) permanent full-time - 168;
  - (b) permanent part-time - 56; and
  - (c) casual employment - 26.
- (2) The percentage of employees identifying with a disability against each category is:
  - (a) permanent full-time - 1.6%;
  - (b) permanent part-time - 1.86%; and
  - (c) casual employment - 1.48%.

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### **Roads—traffic and parking fines (Question No 100)**

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

What action has the Minister's department taken to expedite the collection of all outstanding traffic infringement fines and what is the value of the outstanding fines as at February 2009.

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

In relation to outstanding fines owed by ACT residents, the action taken when they do not pay an outstanding traffic infringement is to suspend the person's vehicle registration or driver licence. This is generally a very effective sanction and results in a high rate of prompt payment of traffic infringements.

In relation to outstanding fines owed by non-ACT residents, the merit of entering into bilateral arrangements with other jurisdictions, particularly NSW and Victoria, has been considered. TAMS has written to the NSW Roads and Traffic Authority to ascertain whether it would be willing to participate in a cross-border scheme to enforce traffic fines. However, the response received advised that NSW would be pursuing cross-border infringement penalty recovery through jurisdictional forums, rather than entering a bilateral agreement.

The issue of using debt collection agencies for outstanding amounts is being considered by an Inter-departmental committee on debt recovery, being led by ACT Treasury.

The value of outstanding traffic infringements notices (that is, unpaid and overdue) at the end of February 2009 is \$17.3m.

### **ACT Policing—vehicles (Question No 153)**

**Mr Hanson** asked the Minister for Police and Emergency Services, upon notice, on 2 April 2009:

- (1) How many vehicles are currently operated by ACT Policing, and how many of each type of vehicle are operated.
- (2) How many of these vehicles are solely for the operational purposes of ACT Policing.
- (3) What is the total operating cost of the ACT Policing vehicle fleet, and what proportion of the total operating cost consists of (a) maintenance, (b) fuel, (c) registration, and (d) insurance.
- (4) What is the average cost of fitting new ACT Policing vehicles, and what equipment is required to fit new vehicles to an operational standard.
- (5) How many new vehicles were purchased by ACT Policing in the 2008-09 financial year, and what was the cost.

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

- (1) ACT Policing currently operates 211 vehicles.
  - Passenger 184
  - Bikes 21
  - Trucks & Bus 6

- (2) ACT Policing currently has 90 marked police vehicles solely for operational purposes, however an additional 109 vehicles are equipped with covert lights and siren for operational purposes.
- (3) The total operating cost of the ACT Policing vehicle fleet for the 2007-08 financial year is approximately \$3,438,694.00. The proportion of the total operating cost are:
- Maintenance - \$657,093.00
  - Fuel - \$789,204.00
  - Registration - \$165,726.00
  - Insurance - \$130,379.00
  - Leasing - \$1,696,292.00
- (4) The average cost to fit a new marked vehicle is approximately \$3850.

The equipment required to transform a police ready vehicle from the manufacturer to an operational standard marked vehicle is:

- Police Roof bar & Controller
- Siren & Controller
- Message Display Controller
- Police radio
- Head & Tail Light Flashing Controller
- Digital Speedo
- Torches (x2)
- Consumables - wire looms, connectors, coaxial cable
- Fire Extinguisher
- Vehicle Stop Sticks
- Vehicle Decals

The average cost to fit a covert vehicle is approximately \$1700.

The equipment required to transform a police ready vehicle from the manufacturer to an operational standard covert vehicle is:

- Siren & Controller
- Police radio
- Head & Tail Light Flashing Controller
- Torches (x2)
- Consumables - wire looms, connectors, coaxial cable
- Fire Extinguisher

- (5) Three vehicles (all Road/Trail Bikes) with a total cost of \$35,490 were purchased by ACT Policing in the 2008-09 financial year. The majority of ACT Policing vehicles are leased.

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### **Public service—positions (Question No 205)**

**Mr Seselja** asked the Attorney-General, upon notice, on 2 April 2009:

- (1) How many people in your Department have been retrenched or made redundant from 1 July 2008 to 31 March 2009, and what was the reason for these retrenchments or redundancies.

- (2) How many temporary employees in your Department have not had their contracts renewed from 1 July 2008 to 31 March 2009, and what was the reason for the failure to renew contracts.
- (3) How many unfilled vacancies exist in your Department as at 31 March 2009, and how many positions does your Department intend to fill between 2 April 2009 and 30 June 2009.
- (4) How many of these positions will be advertised internationally between 2 April 2009 and 30 June 2009, and what is the proposed expenditure for these advertisements.

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

- (1) Two employees were made redundant from 1 July 2008 to 31 March 2009.

Both employees elected to take voluntary redundancy when their positions became excess due to functional changes in the workplace.

- (2) 52 temporary contracts ceased from 1 July 2008 to 31 March 2009.

The usual basis of employment in the ACT Public service is permanent employment. A temporary would only be engaged if a permanent officer is not available with the necessary expertise, skills or qualifications, or assistance of a temporary nature is required to complete urgent or specialised work.

Temporary contracts are not automatically renewed, therefore it would be the normal course that the temporary employee ceases when their contract expires.

- (3) From data available on 20 April 2009 the numbers of unfilled positions was 36. Recruitment on eight of these positions has been completed to date.

- (4) None.

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### **Public service—positions (Question No 207)**

**Mr Seselja** asked the Treasurer, upon notice, on 2 April 2009:

- (1) How many people in your Department have been retrenched or made redundant from 1 July 2008 to 31 March 2009, and what was the reason for these retrenchments or redundancies.
- (2) How many temporary employees in your Department have not had their contracts renewed from 1 July 2008 to 31 March 2009, and what was the reason for the failure to renew contracts.
- (3) How many unfilled vacancies exist in your Department as at 31 March 2009, and how many positions does your Department intend to fill between 2 April 2009 and 30 June 2009.
- (4) How many of these positions will be advertised internationally between 2 April 2009 and 30 June 2009, and what is the proposed expenditure for these advertisements.

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

- (1) One. Previously unattached officer, declared excess (including Shared Services until January 2009)
  - (2) Thirty Eight (including Shared Services until January 2009)
    - 21 resignations
    - 10 short term or project based contract work
    - 3 unsuccessful at permanent placement through merit process
    - 1 successful at permanent placement through merit process
    - 3 dismissal/underperformance
  - (3) Twelve, of which three are currently filled on a contract basis until they can be permanently filled. Three positions are expected to be filled prior to 30 June 2009
  - (4) None
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**Families—data collection methods  
(Question No 208)**

**Ms Hunter** asked the Minister for Children and Young People, upon notice, on 5 May 2009:

In relation to the Government response which agreed with the Sixth Assembly's Standing Committee on Education, Training and Young People's recommendation that the Office of Children, Youth and Family Support review data collection methods so that the quantum of vulnerable families requiring support from the families-at-risk service delivery model can be estimated, can the Minister advise how this will be done in a comprehensive manner so as to ensure data collected provides the detail required to identify and support vulnerable families.

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

The Government agreed to review and improve data collection methods to identify and support vulnerable families. To progress this goal the Department of Disability, Housing and Community Services, including the Office for Children, Youth and Family Support (OCYFS) continues to review and refine its data collection systems.

Vulnerable families and children and young people are currently identified when they present to a range of service delivery areas such as Care and Protection Services, parenting programs, non-government family support and Youth programs or drug and alcohol services. This information is collected and recorded on a range of systems.

Through a project on vulnerable families, the Department is working to improve the identification of these families earlier. Project objectives include increasing collaborative practice, developing common assessment tools, and providing training and checklists for frontline workers in all program areas. This will assist in providing more comprehensive support to vulnerable families.

In addition, there are a range of data collection systems and programs operating across the Department which also contributes to the level of information available to and used by the OCYFS in identifying and working with vulnerable families, including housing, disability

and community information management systems. Further, the Department's Data and Research Unit is used by the OCYFS in the analysis of data for the purpose of improved service delivery.

As this work develops it is important that the Department's obligations in relation to privacy and appropriate sharing of information are met.

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### **Actew—profits and dividends (Question No 210)**

**Mrs Dunne** asked the Treasurer, upon notice, on 5 May 2009:

- (1) In relation to the answer to question on notice No. 111 relating to the profits and dividends for ACTEW Corporation (ACTEW) for 2007-08 in which it was stated that "ACTEW's profits were not to be quarantined for infrastructure projects", however, on page 7 of the annual report for ACTEW, it was stated that the profit was affected by "... recovering ACTEW's investment in projects to secure the ACT's water supply during the continuing drought", how much of the profit was affected by "recovering ACTEW's investment in projects to secure the ACT's water supply during the continuing drought".
- (2) Where was that figure disclosed in the financial statements.
- (3) How is this reconciled with the answer given to question on notice No. 128, in which it was stated that "ACTEW will fund 100% of the Water Security Major Projects capital expenditure through borrowings".

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

- (1) The comment on page 7 of the annual report refers to the ICRC 2007-08 pricing decision which allowed ACTEW to recover \$3.2m for expenditure previously incurred on the following projects:
    - Future Water Options Phase I & II
    - Extended Cotter-Googong Bulk Transfer (ECGBT) and CGBT
    - Accelerated Lower Cotter Catchment Remediation
    - Cotter Pumping.
- Overall ACTEW's water revenues in 2007-08 were significantly below the ICRC revenue allowance due to reduced water consumption.
- (2) The recovered expenditure is included as part of water and sewerage revenue in note 5 on page 75 of the financial statements.
  - (3) ACTEW currently operates with a 100 per cent dividend policy which means that all of its after-tax profits are provided to the Government as a dividend payment. Therefore there are no retained earnings available to fund the Water Security Major Projects which means that they need to be 100 per cent funded through borrowings.
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**Alexander Maconochie Centre  
(Question No 217)**

**Ms Bresnan** asked the Minister for Corrections, upon notice, on 6 May 2009:

- (1) In relation to the Alexander Maconochie Centre (AMC), up to how many children can be incorporated into the women's cottages at one time.
- (2) Is it correct that according to protocols, children might need to be removed if new women enter the cottages and it is deemed to then not be suitable for the child.
- (3) What appeals mechanism is available to a detainee if it is decided that their child should be removed.
- (4) Which community organisations have already received notification that they are approved as authorised visitors for the AMC.
- (5) Does it state on page 22 of the Adult Corrections Health Services Plan 2008-2012 that a "full and comprehensive evaluation of the proposed drug policies and services, and their subsequent effects on the prisoners and staff within the Alexander Maconochie Centre, will be undertaken 18 months after the commissioning"; if so, by what date is it anticipated that the evaluation of the proposed drug policies and services will be complete, and is this working from 18 months after commissioning of the AMC or 18 months after the first detainees arrived.
- (6) What protocols are currently in practice for the voluntary drug testing of detainees.
- (7) What is the ACT Government's definition of the AMC being "full".
- (8) What is the capacity of the AMC, without doubling up in cells, for (a) males, (b) females, (c) remandees and (d) sentenced prisoners.
- (9) When does the ACT Government anticipate that "doubling up" will begin to occur for (a) males, (b) females, (c) remandees and (d) sentenced prisoners.
- (10) Can the Minister provide a full list of the indicators, or data/measurements, to be collected in regard to the AMC and detainees.
- (11) Of these indicators outlined in part (10), (a) which will be made available publicly, (b) how often will they be made available and (c) through what publications will they be made available.
- (12) Will data sets be made available to external researchers.

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

- (1) The Alexander Maconochie Centre can accommodate up to two children at any one time, depending on operational requirements.
- (2) A child may be removed from the AMC at any time where it is considered to be in the best interests of the child.

- (3) In the event a decision is made by the Superintendent to remove a child from the AMC, the primary caregiver will be able to seek a review of the decision by applying to the Deputy Executive Director, ACT Corrective Services. The primary caregiver may also seek a review of the decision in accordance with the *Administrative Decisions (Judicial Review) Act 1989* and may also lodge a complaint to the Children and Young People Commissioner, Human Rights Commission.
- (4) The following organisations have been notified as authorised official visitors of the AMC: Prisoners Aid ACT; Companion House; Alcoholics Anonymous Australia; ACT Hepatitis Resource Centre; Catholic Diocese of Canberra & Goulburn; Toora Women Inc; Alcohol and Drug Foundation; Alcohol and Drug Foundation Australian Capital Territory Inc.(ADFACT); Alternatives to Violence Project; Inanna Inc; Canberra Rape Crisis Centre; Relationships Australia; Centrelink; St Vincent de Paul Society; Womans Information Resources & Education On Drugs and Dependency (WIRED); Directions ACT; Women and Prison; Prison Fellowship Australia; Parkway Church; Habitat Personnel and The Big Issue.
- (5) This is a matter for the Minister for Health.
- (6) ACTCS does not have a policy regarding voluntary drug testing of prisoners.
- (7) The AMC has a capacity of 301 beds. The AMC would not be 'full' unless all beds were utilised. However, due to the need to manage such issues as separation of prisoners by classification and risk, and short-term surges in numbers, a prison may have reached its capacity in regard to some prisoner groups before it is completely 'full'.
- (8) The AMC has the following accommodation structure:
- |       |                             |                                                       |
|-------|-----------------------------|-------------------------------------------------------|
| (i)   | Male sentenced              | - 130 beds                                            |
| (ii)  | Male remand                 | - 100 beds                                            |
| (iii) | Female sentenced            | - 10 beds                                             |
| (iv)  | Female remand               | - 15 beds                                             |
| (v)   | Transitional Release Centre | - 15 beds for male and/or female sentenced prisoners  |
| (vi)  | Management Building         | - 14 beds for remand or sentenced male prisoners      |
| (vii) | Health Building             | - 16 beds for prisoners in crisis or otherwise unwell |
- The sentenced and remand cell blocks both have some two bed cells. The cottage accommodation has single bed cells.
- There is scope to manage a growth in prisoner numbers in different ways subject to their classification.
- (9) It should be noted that that some cells already accommodate more than one prisoner by design. We can plan, but we cannot predict future prisoner numbers.
- (10) The full list of publicly available indicators and data/measurements regarding the AMC and detainees is reflected in **Attachment A**. There are also a raft of other measures that ACTCS are currently measuring and developing and some of these may also be publicly available in the future.

- (11) A full list of publicly available data is attached. The statistics that will be made available to the public will be produced in various publications including: the *Report on Government Services* (annually); the *ACT Department of Justice and Community Safety Annual Report*; the Australian Bureau of Statistics (ABS) publications *Prisoners in Australia* (annually) and *Correctives Services, Australia* (quarterly); and within the ABS website ([www.abs.gov.au](http://www.abs.gov.au)).
- (12) The publicly available data sets will be available to external researchers.

## Attachment A

### Public Statistics

#### Report on Government Services

- Number and type of assaults in custody
- Number and type of deaths in prison custody
- Number of escapes / absconds
- Average prisoner out-of-cell hours
- Imprisonment rate (per 100,000 adults)
- Number of prisoners engaged in employment while in custody
- Number of prisoners precluded from employment due to situation
- Number of prisoners engaged in education programs
- Recurrent cost per prisoner
- Utilisation rate of prison design capacity
- Capital costs per prisoner per day
- Rate of return to correctional responsibility (ACTCS to commence providing in 2011)
- Average prisoner population
- Recurrent expenditure
- Capital expenditure

The information above will be made publicly available annually through the *Report on Government Services*.

#### JACS Performance Measures

- Percentage and number of offenders who participate in rehabilitation programs
- Percentage and number of offenders who complete rehabilitation programs
- Percentage and number of repeat offenders (ACTCS to commence providing in 2011)
- Percentage and number of offenders employed post release
- Percentage and number of escapes per 100 prisoners
- Percentage and number of escorts to and from court completed on time
- Percentage and number of escorts that are transported safely to and from court
- Daily average detainee population
- Number of custodial officers (by gender)

The information above will be made publicly available annually through the *ACT Department of Justice and Community Safety Annual Report*.

### Australian Bureau of Statistics

The information below is provided for each prisoner:

- Prisoner gender
- Date of birth
- Indigenous status
- Country of birth
- Location of last known address (by postcode)
- Marital status at time of reception into custody
- Employment status at time of reception into custody
- Known highest level of education
- Known adult imprisonment
- Date of reception into custody
- Most serious offence / charge
- Known federal offence
- Level of court of sentence / remand
- State / territory of sentence
- Current security classification of prisoner
- Legal status of prisoner
- Aggregate sentence
- Date aggregate sentence commenced
- Type of sentence
- Earliest date of release
- Breach of parole / escape
- Period at large
- Principal offence

The information above will be made publicly available annually through the Australian Bureau of Statistics website ([www.abs.gov.au](http://www.abs.gov.au)) and published within *Prisoners in Australia* (annually) and *Corrective Services, Australia* (quarterly).

### ACT Housing—fire extinguishers (Question No 219)

**Mr Coe** asked the Minister for Disability and Housing, upon notice, on 6 May 2009:

For the financial year (a) 2007-08 and (b) 2008-2009 to date, how many fire extinguishers were purchased (i) for Housing ACT properties and at what cost and (ii) to replace extinguishers that were lost or stolen and at what cost.

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

1. (a) 2007-08:
  - (i) 266; \$42,818.
  - (ii) see above (i).
- (b) 2008-09 (to date):
  - (i) 193; \$32,589.
  - (ii) 175; \$29,583.

**Education—national literacy centre  
(Question No 223)**

**Ms Hunter** asked the Minister for Education and Training, upon notice, on 17 June 2009:

- (1) How many children have benefited from the establishment of the National Literacy Centre.
- (2) Is this more than under the Parents as Tutors Program.
- (3) Is there evidence of better outcomes for students than under the previous program.
- (4) How many teachers have received personal development or mentoring to assist students on a day to day basis.

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

- (1) Currently 58 students have benefited from the U-CAN Read program offered by the National Capital Centre for Literacy Research. This includes 23 students who enrolled in the first cohort and 35 in the second. More enrolments will occur in terms three and four.
  - (2) Consistent with arrangements that existed for the Parents as Tutors program, the new U-CAN Read program aims to meet the needs of at least 80 families on an annual basis. The current program is on track to exceed this target in 2009.
  - (3) U-CAN Read has an improved focus on assessment and outcomes for students when compared with the Parents as Tutors Program. The new program has a strong research base and all students complete an intensive assessment schedule on entry and exit, which includes the following assessment tools: PM Benchmark Kit, Developmental Assessment Resource for Teachers, South Australian spelling test, writing samples, Dolch word list, observation schedule, miscue analysis, and an attitudinal questionnaire. Initial results from these assessments show there has been improvement in reading, writing and spelling.
  - (4) The U-CAN Read program offered by the National Capital Centre for Literacy Research commenced in January 2009. The program employs two consultants experienced in professional development, with a third consultant due to commence in July 2009. The teachers of all 58 students enrolled in the program have had the opportunity to enhance professional knowledge through:
    - email and phone communication from the program consultants during the course
    - attendance at 'teacher observation' workshops to observe a consultant working with parents and students in the program and see the approaches which best support parents
    - attendance at the Parent Seminar Series
    - professional development workshops which take place during stand-down periods (the first of these workshops is being offered in the July stand-down period).
-