



# Debates

WEEKLY HANSARD  
SEVENTH ASSEMBLY

Legislative Assembly for the ACT

10 MARCH 2011

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## Thursday, 10 March 2011

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**Thursday, 10 March 2011**

**The Assembly met at 10 am.**

*(Quorum formed.)*

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

## **Petition**

*The following petition was lodged for presentation, by Mr Hargreaves, from 31 residents:*

### **Media broadcasts—alleged abrogation of religious freedoms—petition No 117**

**To the Speaker and Members of the Legislative Assembly of the Australian Capital Territory:**

**This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:**

On 18 February, 2011, a talkback host on Sydney radio station 2GB, offered listeners a prize if they could guess the number of asylum seekers killed in the December tragedy being buried during the Sydney funerals the next day.

In a segment entitled “Smithy’s Mystery”, Smith offered a range of prizes including movie tickets, a DVD and a book for the first listener who could answer how many people were being buried at the funerals.

From January 17 2011, starting at midday, local radio station 2CC has been broadcasting Chris Smith’s afternoon show, on relay from 2GB Sydney.

Recent attempts in the mainstream media to propagate or encourage the abrogation of religious freedoms in Australia appear to be having an adverse affect on political discourse. Recent statements and acts, such as the tabling of petitions with clearly divisive undertones, surrender the secular, non-discriminatory moral foundations our nation holds dear.

My petitioners therefore request the Assembly to:

1. Support policies which will result in a renewed vigilance in monitoring the nation’s media and appropriate measures if said media is found guilty of racist sentiment or of inciting an intolerance towards religious freedoms in the ACT.
2. Communicate to the Speaker of the Federal Parliament the ACT Legislative Assembly’s strong support for federal legislation that to ensures the above policies and processes.
3. Write to 2CC stating that Chris Smith’s afternoon show is inappropriate for the local audience.

*The Clerk having announced that the terms of the petition would be recorded in Hansard and a copy referred to the appropriate minister for response pursuant to standing order 100, the petition was received.*

## **Evidence Bill 2011**

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

Title read by Clerk.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10:04): I move:

That this bill be agreed to in principle.

Today is an important day for self-government in the territory. The presentation of this bill today is a move towards ceasing the operation of commonwealth evidence legislation in the ACT. For the first time since self-government, the territory will act and exercise its right to establish an evidence regime in the territory, thereby regaining control over its application in the territory.

Mr Speaker, many Canberrans would not even be aware that the Commonwealth Evidence Act has been directly applied in the ACT since self-government, providing most of the law of evidence for the territory. This arrangement has, over time, created a number of difficulties in relation to the legal relationship with the commonwealth and how to apply other ACT procedural laws, and it is in light of these difficulties that the government has made the move to develop our own evidence legislation, a move acknowledging the very real responsibilities of ACT self-governance.

Evidence law has been the subject of national reform in recent years. In 2007 the Standing Committee of Attorneys-General endorsed a model uniform evidence bill. This model law has since been adopted in the commonwealth, New South Wales, Victoria and, more recently, in Tasmania. The model law, as adopted by the commonwealth, largely forms the existing law of evidence in the ACT. Therefore, it is important to note up-front that, while this bill is significant for the ACT in that it is for the first time a law of this Assembly, it will not substantively change the law of evidence as it now applies to the territory.

The Evidence Bill is the first of three bills to be introduced by government this year to reform evidence law in the ACT. Further bills will be introduced to repeal redundant legislation and otherwise update, consolidate and reorganise evidence law in the ACT. This bill establishes the Evidence Act 2011 and sees the territory independently implementing the model uniform evidence law agreed by attorneys-general in 2007.

Mr Speaker, model uniform evidence law arose out of a comprehensive review by the Australian Law Reform Commission in the 1980s. The commission produced model provisions to provide a modernised, structured and reasoned approach to the laws of evidence. The purpose of the model provisions was to promote and maintain

uniformity and harmonisation of evidence laws across Australian jurisdictions. The model provisions clarified evidence laws by partially codifying complex common law rules and rewriting statutory rules of evidence in a clear and concise manner.

Legislation based on the model provisions was enacted by the commonwealth and New South Wales in 1995. Together these acts became known as the uniform evidence acts. Tasmania later enacted legislation largely mirroring the acts, but with some departures and they were followed by the Norfolk Island Legislative Assembly.

The uniform evidence acts were subject to another inquiry by the Australian, New South Wales and Victorian law reform commissions in 2004. The review found that the uniform evidence acts were generally working well but required some finetuning. The commissions made a range of recommendations which were contained in a report tabled in parliament in 2006.

Those recommendations have been largely implemented by proposed amendments to the uniform evidence acts and take the form of an amended model uniform evidence bill. This is the model uniform evidence law endorsed by attorneys-general in 2007 and will be implemented in the territory through the bill. The model law has already been implemented in the commonwealth, New South Wales, Victorian and Tasmanian jurisdictions.

Mr Speaker, the Evidence Bill 2011 is in most respects uniform with the commonwealth and New South Wales evidence acts. There are minor drafting variations which were required to accord with the drafting style of the ACT. Where the text of the bill does vary for this purpose, it is not intended to change the meaning of the provisions in the bill.

It is important to note that the Evidence Bill diverts from the model evidence legislation endorsed by attorneys-general in three main ways. Firstly, the bill does not include sections 25 and 105 of the model law, which relate to the making of unsworn statements. The traditional right of a defendant in criminal proceedings to make an unsworn statement immune from cross-examination has been abolished in all Australian jurisdictions, including the ACT. These provisions have now been repealed from the commonwealth and New South Wales legislation and have subsequently been removed from a consolidated version of the model evidence legislation.

Secondly, the bill does not replicate division 1B of the model law, which provides for a sexual assault communications privilege. It is not proposed to adopt the privilege in the territory as it offers a more limited protection than the sexual assault communications immunity model already existing in ACT law.

Thirdly, the bill does not replicate division 1A of the model law, which provides for a professional confidential relationship privilege. This privilege is not currently part of ACT law as it has not yet been adopted by the commonwealth. The commonwealth adopted the privilege but limited its application to journalists only.

The ACT, consistent with our approach as a strong supporter of uniformity in evidence law, proposes to adopt the broader model privilege and include it in the



forthcoming evidence bills which will complete the evidence reform process in the ACT. As these bills will be subject to consultation, stakeholders in the justice system will have the opportunity to examine the operation of the privilege in the territory.

Finally, Mr Speaker, the bill does not contain amendments to the model evidence law which were endorsed by attorneys-general in 2010. Again, these amendments have not yet been adopted by the commonwealth. Therefore, it is proposed to include the amendments in the forthcoming evidence bill and allow appropriate consultation on the issues involved with the amendments.

The ACT has been a strong advocate and partner in relation to the efforts of the commonwealth and other Australian jurisdictions in achieving uniformity of evidence law Australia-wide. The bill which I present here today represents the government's firm commitment to the principle of uniform evidence law. It also underlines our commitment to implementing fully the responsibilities of ACT self-governance. I commend the bill to the Assembly.

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

## **Estimates 2011-2012—Select Committee Establishment**

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

That:

- (1) a Select Committee on Estimates 2011-12 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2011-2012 and any revenue estimates proposed by the Government in the 2011-2012 Budget and prepare a report to the Parliament;
- (2) the Committee be composed of:
  - (a) one member to be nominated by the Government;
  - (b) two Members to be nominated by the Opposition; and
  - (c) two Members to be nominated by the Greens;to be notified in writing to the Speaker by 4 pm today;
- (3) an Opposition Member shall be elected chair of the Committee by the Committee;
- (4) funds be provided by the Parliament to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
- (5) the Committee is to report by 21 June 2011;
- (6) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the

Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and

- (7) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

I have great pleasure in proposing this motion. It seems to roll around regularly—much quicker every year. We are now about eight weeks out from the tabling of the annual budget and it is very important that we get this committee up and running. It is one of the most important motions the Assembly can consider each year and it is integral to the role of the parliament in scrutinising the activities of the government of the day.

I am proposing that the membership of this committee comprise a member from the government, two members from the opposition and two members from the Greens. I am also proposing that an opposition member shall be elected as the chair. It was my original purpose to move this motion in February. I am aware that there has been some consideration about the best approach to performing the functions of scrutinising the annual budget in the admin and procedure committee. This follows a recommendation in last year's report from the estimates committee. I will comment on that a little bit later.

I would observe that, as this motion was not moved at our February sittings, we are now less than eight weeks from the day on which the ACT budget will be presented and that the estimates process, therefore, is just around the corner. I trust that this is sufficient time in which to make the necessary arrangements for a program that is suitable to all the ministers. It is my intention, in attempting to move this motion as early as possible, to provide our Committee Office with as much lead time as possible to make the necessary preparations.

We have seen in some years that there have been issues concerning arranging for ministers to appear before the estimates committee. I think the combination of having the estimates period clearly identified in the annual calendar and the establishment of the committee reinforces the intention of the Assembly to use this process as effectively as possible. In particular, it is essential that the Treasurer is well aware of the timetable for estimates. The Treasurer should appear on the first day of hearings, after the community groups, and provide the context in which the committee will undertake its inquiry.

I am sure members will recall the situation the Assembly faced last year when the Treasurer had a longstanding commitment to travel overseas on private business and as such there was much toing and froing to facilitate the Treasurer at the beginning of the estimates committee's hearings. I trust that this year there will not be a repeat of the complexity that took place last year. We certainly look forward to the Treasurer's appearance this year as the ACT continues to deal with the return of the ACT's budget to surplus and, in particular, how the government's savings measures are being implemented.

I also note that the innovation which we commenced in 2009, and which we repeated last year, to engage external expertise to assist the committee in its deliberations

requires some time to arrange prior to the committee starting its deliberations. I have found this independent advice and commentary on the ACT budget to be extremely valuable. I also trust that the independent expertise will again be engaged to provide the independent expert advice to the estimates committee on the 2011-12 budget. Clearly, we require the greatest amount of time in which to seek expressions of interest and to engage a suitable person or entity to provide this advice.

Mr Speaker, I now want to make some comments on the material which you circulated earlier this week on behalf of the Standing Committee on Administration and Procedure. This material has been provided in response to a recommendation from last year's estimates committee. The material describes six models by which what I will call the "estimates process" could take place. I wish to make some brief comment on this material.

Of the six models outlined, referring the budget either to the public accounts committee or to an expanded public accounts committee will simply load onto that committee more work into an already over-full workload. The same could be said for referring relevant parts of the budget to existing standing committees, as is done with annual reports. But, again, this imposes an increased workload on an already busy committee or committees.

Establishing two select committees has the potential to be a nightmare with scheduling arrangements when there are so many overlapping responsibilities within the ministry and ACT government agencies. There was the suggestion of establishing a dedicated standing committee. I think that has some merit but I suggest that, given the size of the parliament, it is probably not practical.

So by a process of deduction and analysis of the way in which we currently function, I am led to the position of favouring our current arrangements. I believe it achieves the optimum balance between scrutinising the annual budget, giving members an opportunity to participate in the scrutiny process and using our limited resources as effectively as possible. Hence I move my motion in the form in which you have before you as the best means by which our parliament can perform its role of scrutinising the budget that will be brought down by the government of the day and to hold the government to account for its forecasts, for its decisions and for the outcomes of those decisions.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (10.17): There is a balance to be struck between consistency and innovation and we must always be mindful of the need to be adaptive and responsive to new ideas and ways of doing things. Traditionalism does have its place, but it should never be used as an excuse not to be open to new ways. If we look at the way we have done things, they may have more or less worked and may well fulfil the basic requirements, but it does not mean that we should not be open to new options if there is one available and one that can do everything the current mechanism does and more.

That is why this year the ACT Greens are proposing that we change the way we inquire into the proposed budget expenditure to ensure that we have the most effective analysis of the budget available to us in determining whether or not we should support

the proposed appropriation bill and what else needs to be done to ensure the best possible outcomes.

Our proposal is that the standing committees undertake the inquiry into the proposed expenditure. The standing committees already inquire into the annual reports provided by departments and agencies and scrutinise the expenditure of money appropriated. It makes sense that they should also be the ones to inquire into the proposed future funding, given that they have the best knowledge of whether or not the proposed recipient did a good job with the money that was allocated to them the previous year.

The standing committees have a significant level of expertise in the portfolios they are responsible for. The Assembly should be capitalising on that. We are a small Assembly and it makes sense that we use the skills and experience available to us to the greatest extent possible. If we are serious about delivering scrutiny and using our very limited resources wisely, it makes sense to spread the load across the existing structure best equipped to take it, rather than creating a new committee and concentrating the work amongst members who do not necessarily have the same level of knowledge and expertise as their colleagues.

There will no doubt be a range of proposed expenditure decisions that necessarily require a thorough understanding in quite a high level of detail. All non-executive members spend a very significant amount of our time undertaking committee inquiries on the respective portfolios. We all spend hours reading annual reports so that we can undertake annual report inquiries. Surely it makes sense to build on that work and provide a more thorough evaluation of the budget.

This change comes about from a recommendation from last year's select committee report which recommended the evaluation of the select committee model and consideration of options for reform and improvements to that process. Whilst there have been no clear views expressed by the administration and procedure committee on this matter, it is clear from the work that has been done by the committee that there are a range of other options available and that other parliaments use them very successfully.

Most notable, of course, is the Senate, which uses the equivalent of what I will be proposing today. I have not heard any significant criticism of the Senate process and I have not heard people wanting to move in favour of the single committee model we have here. I will take the opportunity at this point to move the amendment that has been circulated in my name. I move:

Omit all words after "That", substitute:

- (1) the expenditure proposals contained in the Appropriation Bill 2011-2012 and any revenue estimates proposed by the Government in the 2011-2012 Budget, on presentation, stand referred to the standing committees in accordance with the schedule below;
- (2) where expenditure proposals or revenue estimates proposed by Government are not specified in this schedule, the Standing Committee on Public Accounts will have the authority to inquire or refer the matter to another standing committee;

- (3) the Standing Committee on Public Accounts will, in addition, report to the Assembly on the overall budgetary position, infrastructure investment program and expenditure, revenue and capital initiatives proposed by Government;
- (4) notwithstanding standing order 229, only one standing committee may meet for the consideration of expenditure proposals and any revenue estimates at any given time;
- (5) hearings will be scheduled between 13 and 27 May 2011 as arranged by the secretariat in consultation with committee chairs and this schedule will be circulated to all Members and Ministers prior to the tabling of the Appropriation Bill;
- (6) standing committees may hold an additional supplementary hearing on 30 May 2011 if required only for the purpose of clarifying evidence provided during the scheduled hearings;
- (7) funds be provided by the Parliament to the Standing Committee on Public Accounts for the engagement of external expertise to assist the Standing Committee on Public Accounts, and other standing committees, in their analysis of the Budget and support the preparation of the reports of the standing committees;
- (8) in conducting hearings, the chairs of the standing committees shall call on items of proposed expenditure in the order set out in the budget papers, and Members may ask, in accordance with the standing orders, for explanations relating to the items of proposed expenditures from Ministers or from officers of departments, agencies, statutory bodies or Territory-owned corporations in attendance;
- (9) the chairs of the standing committees will ensure that all output classes are called upon within the time allocated. All non-executive Members may participate during hearings in accordance with standing orders;
- (10) the standing committees may permit the lodgement of written questions on notice in cases where expenditure proposals and revenue estimates have not been satisfactorily dealt with during the hearings;
- (11) questions on notice must be directly relevant to matters contained in the estimates under consideration and may only be placed by Members who attended the relevant hearing. The standing committees shall determine whether a question will be submitted to a Minister;
- (12) questions on notice must be submitted to the relevant committee secretary within three working days of the relevant hearing and must be in the format determined by the Speaker. The Speaker shall circulate the format for questions on notice to all Members and Ministers prior to the commencement of hearings;
- (13) answers to questions taken on notice during the hearings should be provided to the committee secretary within five working days of receipt of the question, or as otherwise determined by the committee;

- (14) answers to questions not received prior to the standing committees presenting their reports must be provided to the Speaker in accordance with standing order 253A;
- (15) the standing committees are to report by 21 June 2011 on any items or matters related to the proposed expenditures to which that Committee is of the opinion that the attention of the Assembly should be directed. The standing committees may also advise the Assembly of their intention to pursue through further inquiry any matter arising during the Estimates inquiry process;
- (16) if the Assembly is not sitting when the standing committees have completed their inquiries, the committees may send their reports to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for printing, publishing and circulation; and
- (17) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Department/Agency/ Authority or Corporation	Budget Output	Standing Committee
Legislative Assembly Secretariat		Public Accounts
ACT Executive		Public Accounts
Auditor-General		Public Accounts
Chief Minister's Department	Output 1.1: Government Policy and Strategy Output 1.2: Public Sector Management Output 1.3: Industrial Relations Policy Output 1.4: Coordinated Communications and Events Output 1.6: Project Facilitation Output 1.7: Nation Building and Jobs Plan Taskforce Output 2.1: Business and Industry Development Output 3.1 : Tourism	Public Accounts
	Output 1.5 Arts Policy, Advice and Programs	Education, Training and Youth Affairs
Department of Territory and Municipal Services	Output 1.1: Information Services Output 1.2: The Office of Transport Output 1.3: Waste and Recycling Output 1.4: Land Management Output 1.6: Sport and Recreation Output 2.1: Government Services Output 2.2: Events	Planning, Public Works and Territory and Municipal Services
	Output 1.5: Environmental Regulation	Climate Change, Environment and Water

ACTION	Output 1.1: Public Transport	Planning, Public Works and Territory and Municipal Services
Shared Services Centre	Output 1.1: InTACT Output 2.1: Procurement Support Services Output 3.1: Human Resources Services Output 4.1: Finance Services	Public Accounts
Department of Land and Property Services	Output 1.1: Major Project Facilitation Output 1.2: Property Services	Planning, Public Works and Territory and Municipal Services
Treasury	Output 1.1: Economic Management Output 1.2: Financial Management Output 1.3: Revenue Management	Public Accounts
Home Loan Portfolio	Output 1.1: Home Loan Portfolio	Public Accounts
Superannuation Provision Account	Output EBT 1: Superannuation Provision Account	Public Accounts
Territory Banking Account	Output EBT 1: Territory Banking Account	Public Accounts
ACT Health	Output 1.1: Acute Services Output 1.2: Mental Health Services Output 1.3: Community Health Services Output 1.4: Public Health Services Output 1.5: Cancer Services Output 1.6: Aged Care and Rehabil Output 1.7: Early Intervention and Prevention itation Services	Health, Community and Social Services
Department of Justice and Community Safety	Output 1.1: Policy Advice and Justice Programs Output 1.2: Legal Services to Government Output 1.3: Legislative Drafting and Publishing Services Output 1.4: Public Prosecutions Output 1.5: Protection of Rights Output 1.6: Electoral Services Output 1.7: Regulatory Services Output 2.1 Corrective Services Output 3.1 Courts and Tribunal Output 4.1 Emergency Services Output EBT 1: ACT Policing	Justice and Community Safety
Department of Environment, Climate Change, Energy and Water	Output 1.1: Environment Protection and Water  Output 1.2: Water, Energy and Waste Output 1.3: Climate Change and Natural Environment EBT 1: Office of the Commissioner for Sustainability and the Environment	Climate Change, Environment and Water
Department of Education	Output 1.1: Public Primary School	Education, Training

and Training	Education Output 1.2: Public High School Education	and Youth Affairs
Department of Education and Training (cont'd)	Output 1.3: Public Secondary College Education Output 1.4: Special Education in Public Schools Output 2.1: Non Government Education Output 3.1: Planning and Coordination of Vocational Education and Training Services	
ACT Planning and Land Authority	Output 1.1: ACT Planning and Land Authority	Planning, Public Works and Territory and Municipal Services
Department of Disability, Housing and Community Services	Output 1.1: Disability Services and Policy Output 1.2: Therapy Services Output 3.1: Community Services Output 3.2: Community Affairs	Health, Community and Social Services
	Output 2.1: Child and Family Centre Program Output 2.2: Children Services Output 4.1: Youth Services Output 4.2: Care and Protection Services	Education, Training and Youth Affairs
Housing ACT	Output 1.1: Social Housing Services	Health, Community and Social Services
ACT Gambling and Racing Commission	Output 1.1: Gambling Regulation and Compliance	Public Accounts
ACT Insurance Authority		Public Accounts
ACT Public Cemeteries Authority		Planning, Public Works and Territory and Municipal Services
ACTEW Corporation		Public Accounts
ACTTAB Limited		Public Accounts
Canberra Institute of Technology	Output 1.1: Provision of Vocational Education and Training Services	Education, Training and Youth Affairs
CIT Solutions Pty Ltd		Education, Training and Youth Affairs
Cultural Facilities Corporation	Output 1.1: Cultural Facilities Corporation	Education, Training and Youth Affairs
Exhibition Park Corporation		Public Accounts
Independent Competition and Regulatory Commission		Public Accounts
Land Development Agency		Planning, Public Works and Territory and Municipal Services



Legal Aid Commission	Output 1.1: Legal Aid Services Provided by Private Legal Practitioners Output 1.2: Legal Aid Services Provided by Commission Staff	Justice and Community Safety
Public Trustee for the ACT		Justice and Community Safety

**MS HUNTER:** Putting a territory budget together is a very big task that takes many months and resources for every department, most particularly, of course, Treasury. Evaluating it is also an enormous task that is currently left to just five members and a secretariat. I should note that we also now have the benefit of external advice that greatly assists the committee in considering the merits or otherwise of the budget and this would remain under my proposal.

Why is it better to have five people to do the work when it could be 12? The way we use public money is the most vital regular decision this place has to make and I think it is appropriate that all members participate in that process. The executive obviously have the decision-making power given to them by the Assembly and it should be the whole Assembly that participates in the evaluation of the decisions they make. Surely the best outcome is having the people who already know about the issues participating in the full budget cycle and not just half of it.

Why are the standing committees equipped to ask questions about the appropriateness of departments' and agencies' action but they are not equipped to consider the merit of giving those very same agencies their next round of funding? It simply does not make sense. We are a small parliament and we should be sharing the workload and expertise across all members. That is the best way to achieve the best outcomes—not by concentrating responsibility and, in some instances, turning it into political gamesmanship at the expense of real accountability.

The proposal that I have put forward improves the process for all members of this place. It allows for the greater participation of all non-executive members and it provides for a better dialogue between the executive and the Assembly—promoting a clearer cycle of accountability and hopefully fostering more meaningful engagement between executive and non-executive members. Of course, Mr Speaker, I am under no illusion that this proposal will solve all the problems and magically deliver better outcomes. That, of course, depends on the approach members take and their willingness to work together, and that applies equally to all members and ministers.

Finally, Mr Speaker, I would make the point that if it does not work, we can of course return to the select committee model next year or, in fact, there may be another way. What do we really have to lose if we trial it for a year? We know that the annual reports process delivers good outcomes and that over the years the standing committees have made many very valuable contributions, both specific suggestions for change and in general accountability and ensuring the proper use of public funds.

When this year's process is finished we can then evaluate the options and reflect upon the respective pluses and minuses with the benefit of experience. Who knows, as I have said, perhaps there is a third path that is better again, but we will never really know unless we try. We can then properly evaluate which is the most appropriate

process for the ACT Assembly. I would ask members to carefully consider the amendment that the ACT Greens have put forward today and ask that they support it.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.25): I thank Ms Hunter for her detailed amendment to Mr Smyth's proposal. Regrettably, the government will not support the proposal. I would like to take a bit of time to explain why.

It really is quite a straightforward issue from the government's perspective. Non-executive government members are entitled to participate in the estimates process. The proposal put forward by Ms Hunter would make it extremely difficult for non-executive government members to properly participate because, as members would appreciate, there are only two non-executive government members who have to cover a very large number of the standing committees in this place. It would present some very real logistical issues for those members in being able to be physically present at all times for all of those hearings. Whilst that is an issue that I think all non-executive members face in this place to some degree, it is a much more acute problem for the two non-executive government members.

On that basis, the government has taken the view that we think Ms Hunter's proposal is unworkable for the non-executive government members and we therefore cannot agree to it. We cannot ask the two non-executive government members to operate in an environment which would be very difficult for them to properly cover and keep track of all the issues being dealt with across numerous standing committees compared to their attendance at a single select committee. So the government will not be supporting Ms Hunter's amendment.

In relation to the other issues raised in Mr Smyth's motion, the government agrees that there should be a select committee. We agree with the composition as proposed by Mr Smyth, but I foreshadow—and I think members have them in front of them—that I will be moving two amendments to Mr Smyth's motion once the Assembly has dealt with Ms Hunter's amendment. Just to foreshadow my amendments, they deal with the issue of the chair of the committee. The government's view is that the chair of the committee should be determined by the committee rather than by this place. Therefore, we are proposing that paragraph (3) be omitted.

In relation to the reporting date, the government is suggesting that the committee report a week earlier. The reason for that, Mr Speaker, is that it would allow the government to prepare a response to the report's recommendations for the commencement of the sitting fortnight. We think that would be a sensible measure. It would allow members more time to consider the government response and it would potentially, if members felt they were prepared for the debate as a consequence, allow the debate on the appropriation bill to be brought forward earlier in the sitting fortnight. We think that would be a desirable course of action, rather than trying to cram it into the last sitting week of that fortnight.

That is why the government is suggesting that reporting date. I think the Assembly and the scrutiny process would benefit from having a detailed government response at the beginning of the sitting fortnight and that is why the government is suggesting that

approach. I will be moving those amendments once Ms Hunter's amendment has been dealt with by the Assembly.

**MR SMYTH** (Brindabella) (10.29): In addressing the amendments, I will go to Mr Corbell's amendments first. It is interesting that we have had a change of heart from the government. Of course, they did not believe the committee should set who was the chair when they had majority government. I guess it is in the same vein as Bob Brown—what suits you, suits you. We see these changes come regularly from a government that is not actually committed to this process.

In his second amendment Mr Corbell is saying that the committee, with five members and support from the committee office of half a dozen staff, will get two weeks in which to consider the report, and the government, with 20,000 public servants to back them up, will also get two weeks to write its response. You can see the inequity in this. If you go back through the responses we have had from this government to estimates committees over the last nine or 10 years, you see that responses have been poor at best and dismissive in most cases. So I do not expect that giving the government an extra week to consider what they want to say will have any effect at all. But it will place an enormous burden particularly on the committee office and, I suspect, impact on the quality of the report. There is an enormous amount of material to go through. So in regard to Mr Corbell's amendments, we will not be supporting either of them.

In regard to Ms Hunter's amendments, what a surprise. The Treasury spokesperson for the Greens seems to have an aversion to hard work. We saw it in the first estimates sittings that she briefly attended. I think she turned up for about an hour on that first sitting day when the Treasurer was there, asked no questions and left early. That seems to be the practice of the Treasury spokesperson for the Greens. This is a very important bill and a very important process. I guess the Greens' approach to this is based on the fact that they are fatally compromised on this. They have already said they are going to pass the budgets, indeed, they make budget submissions. So they are actually going to be scrutinising their own submissions to see whether they got what they wanted. If you think that is a fair and impartial process, I think you are fooling yourselves. It will be interesting to see who the Greens put on the committee this year. I guess when you are a member of the Greens-Labor alliance, you can do whatever you want. That just seems to be the way things go.

**Ms Gallagher:** It still hurts, doesn't it Brendan?

**MR SMYTH:** No, no—what hurts is people do not take this seriously. The Treasurer says it hurts. No, I like going anyway. I quite enjoy the process.

**Ms Gallagher:** I'll tell you who doesn't take it seriously in this place.

**MR SMYTH:** I am probably over the last 15 years the only person that has consistently taken the process seriously in this place, because it is an important bill. The parameters that we set, the objectives of the government, affect the cost of living of ordinary Canberrans every day. There is another article in the paper today about housing affordability and how the battlers are being forced to cross the border. I just got a letter from a guy who said, "Mate, it'd be cheaper for me to move back to Queensland than live in the ACT. I can't afford a house, I can't afford the parking."

I'm trying to do everything right, but I've got a government that doesn't listen to my needs as an ordinary person".

The cost of living and the effects of the budget are incredibly important to ordinary Canberrans. This budget, as with so many other budgets of this government, will be measured, I am sure, on, "How much of your money have we spent? We're great because this is the biggest budget we've ever had." That is the pat line from a string of Labor treasurers, instead of measuring how they have affected the well-being of ordinary Canberrans and how they have reduced the cost of living. That would be an interesting indicator in a budget bill. We might actually have a cost of living statement where we said, "This budget will reduce the cost of living on ordinary Canberrans by X". Of course, you will never see that, because no Labor budget ever reduces the cost of living for ordinary Canberrans.

This is why the independence of the committee is important. This is why, in many ways, the process is already tainted. We have got people who will be on this committee who are already committed to supporting the budget. They will support it instead of undertaking critical analysis and the work required to work out whether or not this is a budget that will truly deliver for the ordinary people of Canberra.

**Mr Seselja:** We saw that last year.

**MR SMYTH:** Well, we certainly did see that last year. The whole process was railroaded right from the start. That is the problem with the Greens-Labor alliance running the estimates committee, and that is why we will not be supporting either of these budgets. That is why we are here and we will stand by our motion. We are interested in making sure that the well-being of all Canberrans is improved because of the budget, that the cost of living is reduced because of the budget and that, at the same time, people get the standard of living they deserve and the standards of service and timeliness of service they should be able to reasonably expect in the capital of a fairly affluent country. To all of these amendments, we will be saying no.

**MS BRESNAN (Brindabella) (10.34):** Firstly I will speak to Mr Corbell's amendments, and I also foreshadow that I have circulated an amendment. It does seem, unfortunately, that Ms Hunter's amendment is not going to be supported by the opposition or the government, which is disappointing. So I will be moving an amendment regarding the composition of the committee.

I appreciate that Mr Corbell has omitted that provision in his amendments, but it is important that we specify that the chair of the committee is a non-government member. Omitting that line leaves it open to the process that it could potentially be a government member, and we believe it is important that a non-government member is the chair of that committee.

Regarding the reporting time frame, we will not be agreeing to that amendment either. We believe the committee should have the maximum time to prepare the report. We must remember that, although the government are preparing a budget, they have a considerable time frame to prepare that. The committee has a much shorter time frame

in which to analyse that budget and then to prepare a report. We believe the committee should have the maximum time allowed to be able to do that work.

I will speak in favour of Ms Hunter's amendment. We have had this argument put forward by Mr Smyth making some very disparaging comments first off about Ms Hunter. We seem to have this argument continually peddled about somebody is working harder than other members. It is a load of rubbish. We all work hard, and I think we are all getting sick of hearing that argument. Everyone works hard on that committee. The spokespeople take part in the estimates hearings, and everybody works hard in the estimates process, and generally. Those sorts of arguments are just ridiculous.

I find it extraordinary that we have heard this argument that somehow this process would lessen scrutiny. Ms Hunter has put forward a process to increase the scrutiny of a budget, because it would be put forward to the standing committees which analyse budget allocations and spending and programs throughout the year through annual reports hearings and inquiry processes. You would actually have people who have a much more intimate and detailed understanding of these programs analysing them. This process, as has been shown, actually increases scrutiny of the budget process.

We have heard Mr Smyth put his arguments about how the Greens do not want to scrutinise the budget—the usual arguments. Here is a process that actually increases that scrutiny, and the Liberal Party are going to vote against it. It is worth making that point. I commend Ms Hunter for putting forward this amendment and for trying to put forward a process that would actually improve the analysis of the budget. It is disappointing that we have not received support from either the government or the opposition on this.

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (10.37): The government considered quite extensively the Greens' proposal around moving the estimates process to the standing committees. Certainly from my point of view, looking at it objectively, I thought there were a number of potential improvements to the estimates process by pursuing that line. The issue comes down to the number of non-executive MLAs, as my colleague Minister Corbell has said, and the fact that they are spread so thinly over a number of committees.

The government remains open to ideas on how to improve the estimates process. Perhaps when the Assembly matures and grows into a larger beast, something like Ms Hunter's suggestion could be considered, when we have more members available to do that work. I also take Ms Bresnan's point around the race to see who is working the most hard on the estimates committee.

**Mrs Dunne:** I think "hardest".

**MS GALLAGHER:** Thank you Mrs Dunne—always there to correct someone's grammar. It is fair to say that, in a parliament of 17 members, every member works hard on the budget, whether it be the executive through putting the budget together or non-executive members participating in the estimates process, and then for the 17 or so hours of debate in this place—

**Mr Hanson:** Meredith watched it on TV.

**MS GALLAGHER:** Mr Hanson does not lose an opportunity to have a go at another member in this place. It has taken him 39 minutes to get his first nasty jibe in. Mr Hanson, sometimes you sit in your office, too, thankfully for the rest of us. We enjoy that time. What I am trying to say here is that all 17 members work hard on the estimates process. I do not think we need to disintegrate into an argument of who works harder than someone else on the budget.

There should be ways to improve the estimates process. Listening to Mr Smyth, from my point of view, the Liberal opposition uses the estimates process as a grandstanding forum for a month to pursue any item that they feel like. Most of it is not related to scrutiny of the appropriation bill before them. I think the behaviour of the opposition on estimates last year and some of the tactics they used could be improved.

**Mr Smyth:** Goodness me. So holding you accountable is not our job?

**MS GALLAGHER:** I am giving you feedback, Mr Smyth, as the person who has just put forward to the Assembly that the Liberals are the hardest working in keeping the government honest. I think if you looked to yourself to improve the behaviour of the Liberal Party in the estimates process, everyone would be better off for it.

Mr Corbell's amendments, which I support, around moving the reporting date to one week earlier is not to give the government two weeks to respond, as Mr Smyth alleges. It is around allowing a full two weeks in June for a debate on the appropriation bill. It means that the government would be able to hand their response to the Assembly on the first sitting day in June, and then we could move straight into the budget debate over a two-week period instead of over a one-week period.

That is the intention behind the government's amendment. It is unfortunate that we spend the first sitting week of June putting together our response to the estimates process. It would certainly assist the executive to look at the report, to provide that level of consideration to the report, to formulate a response and then to allow the Assembly four sitting days, if you exclude private members' days, for debate on the budget. That is the intention behind those amendments.

Question put:

That **Ms Hunter's** amendment be agreed to.

The Assembly voted—

Ayes 4

Noes 11

Ms Bresnan  
Ms Hunter  
Ms Le Couteur

Mr Rattenbury

Mr Barr  
Ms Burch  
Mr Coe  
Mr Corbell  
Mr Doszpot  
Mrs Dunne

Ms Gallagher  
Mr Hanson  
Mr Hargreaves  
Mr Smyth  
Mr Stanhope

Question so resolved in the negative.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (10.45), by leave: I move:

(1) Omit paragraph (3).

(2) In paragraph (5), omit “21 June”, substitute “14 June”.

As I previously indicated, the government is proposing two minor amendments. I noted Ms Bresnan’s comments that she believes the chair should be a non-government member. As the motion is currently worded, it specifies an opposition member. So I am not too sure whether that means that the Greens will be supporting an opposition member as chair or whether they have another amendment. Ms Bresnan is foreshadowing she has an amendment, I think, to my amendment; so I am pleased that is being dealt with.

The substantive issue here, I think, and the one that the Assembly should pay most time to is the second part of my amendment that deals with the reporting date of the committee. As the Treasurer has indicated, it would be desirable for the government to present its response to the estimates committee report at the commencement of the sitting fortnight in June, at which the budget will be considered. The government is not seeking an extra week to prepare its response. Instead we are seeking to have a response for the Assembly at the commencement of the sitting fortnight so that the Assembly can spend more time on the budget debate.

Instead of trying to do it all in two days, we could potentially do it over it three or even four days during that sitting fortnight. And that, I would have thought, would accord with the opposition’s view that there should be greater scrutiny and consideration of the appropriation bills in the budget debate. So that is why the government is suggesting it and I look forward, accordingly, to the Liberal Party’s support for this approach.

Of course it is unfortunate that we hear some fairly despicable comments from Mr Hanson during this debate. To accuse one of my colleagues of watching television is just beyond the pale. The obvious reference, of course, is to Ms Porter who, as members would be aware, has just undertaken—

**Mr Hanson:** It was not Ms Porter, mate.

**MR SPEAKER:** Mr Hanson, you can speak in a moment. Mr Corbell has the floor.

**MR CORBELL:** There we go. I think they do protest too much. It was quite clear what Mr Hanson was saying, and it was a grubby comment. It was a grubby comment from an increasingly grubby shadow minister in this place.

The amendment before the Assembly is about making sure that there is sufficient time during the June sittings to permit the Assembly to give full consideration to the

appropriation bill, something that those opposite have called for time and again. Therefore, I look forward to their support for my amendment which will allow just that.

**MR HANSON** (Molonglo) (10.49): I need to respond to the comments that Mr Corbell made. I, indeed, did interject during the debate, and that was to remind members that during the estimates of 2009 Ms Hunter, by her own admission, had said that she had watched much of the proceedings on her television in her room. And I remember that came as part of a debate. That was the political panel on a Friday, which I attended, and that was Ms Hunter's comment. I can go and get the transcript of that, I am sure, if you want me to.

But if Mr Corbell were to review the *Hansard* from this morning he would realise that that was the comment that I was making. I think all members would acknowledge that. And now what he is trying to do is spin it that somehow I was trying to make an attack on Ms Porter.

**Mr Corbell:** It is not how it sounded over here, you grub.

**MR HANSON:** She has obviously, as we know, had some medical attention lately. So I think that is extraordinary. I think it is most inappropriate that Mr Corbell would twist words like that and suggest that I had made a comment like that. I invite the member to withdraw his comment.

**MR SPEAKER:** Mr Hanson, one moment, please. Mr Corbell, I believe the use of the word "grub" is unparliamentary. I would ask you to withdraw it.

**Mr Corbell:** I withdraw it, Mr Speaker.

**MR SPEAKER:** Thank you. Mr Hanson, would you like any more time?

**MR HANSON:** Mr Speaker, thank you. I would remind you that when members were interjecting yesterday and did not go as far as calling other members grubs, they were warned. I have faced significant interjection—

**MR SPEAKER:** Mr Hanson, this is not the substance of the debate.

**MR HANSON:** To be called a grub and there is no warning, I just, if I could, ask you to—

**MR SPEAKER:** Mr Hanson, return to the motion or sit down.

**MR HANSON:** Okay, I will return to the motion. I would invite Mr Corbell to review his comments to see whether they are appropriate. You might want to speak to your colleagues and see whether there was any mention of Ms Porter or whether you were the person that has twisted that again. Given the motion you faced yesterday in this place, Attorney-General, which was to do with your twisting of words and—

**Mr Doszpot:** You are a grub, Simon.



**Mr Hargreaves:** On a point of order, Mr Speaker.

**MR SPEAKER:** Mr Doszpot, I just asked Mr Corbell to withdraw the use of the word “grub”. I am somewhat surprised you subsequently used it in interjection. I would invite you to withdraw.

**Mr Doszpot:** I withdraw, Mr Speaker.

**MR SPEAKER:** Thank you. Mr Hargreaves, did you have a point of order?

**Mr Hargreaves:** Yes. The point of order was that you have asked Mr Hanson to come to the subject of the motion and he is still prosecuting a different case. Perhaps you can ask him to come back to the question.

**MR SPEAKER:** Thank you. Mr Hanson, did you want to debate the motion any further?

**MR HANSON:** I think the point is that if it was relevant for Mr Corbell to discuss Ms Porter and make a point about that, then it is entirely relevant for me and the minister to respond.

**Mr Corbell:** You said it, Jeremy.

**MR HANSON:** Mr Corbell is interjecting, “You said it.” The point is that I did not say that, Mr Corbell. I will be getting the *Hansard* and I will be coming back into this place. You can choose to withdraw it and apologise before then; otherwise, watch out.

**MS BRESNAN** (Brindabella) (10.52): I have already spoken to Mr Corbell’s amendments but I will speak briefly again, just to clarify too. We will not be supporting these amendments but I will, as I have already foreshadowed, be moving an amendment to Mr—

**Mrs Dunne:** On a point of order, Mr Speaker, Ms Bresnan has already spoken and therefore needs leave to speak again.

**MS BRESNAN:** I seek leave to speak.

**MR SPEAKER:** No, I do not believe so. She is now speaking to Mr Corbell’s amendments.

**MS BRESNAN:** I spoke to Brendan’s—

**Mrs Dunne:** She said she had already spoken to the amendments.

**MS BRESNAN:** No, I said I had already mentioned them.

**Mrs Dunne:** Ms Bresnan has already spoken.

**MS BRESNAN:** Different amendments, not this amendment.

**MR SPEAKER:** There was some confusion in the earlier debate because Ms Hunter actually moved an amendment and Mr Corbell—

**Mr Smyth:** Foreshadowed.

**MR SPEAKER:** —foreshadowed, thank you, Mr Smyth, he was going to introduce amendments and members spoke to Mr Corbell's amendments in the course of responding to Ms Hunter's amendment. Technically Ms Bresnan spoke to Ms Hunter's amendment and she is now speaking to Mr Corbell's amendments. Ms Bresnan.

**MS BRESNAN:** That is my understanding. Thank you, Mr Speaker. I just want to clarify that we will not be supporting these amendments. I have already foreshadowed that I will move an amendment to Mr Smyth's motion because I do believe it is important to specify that the committee should be chaired by a non-government member. That is why we will not be supporting the omission.

Given there has been quite a bit of leeway given to other members to speak on this, I did want to talk to Mr Hanson's comments about Ms Hunter. I think the incident is actually referring to—

**Mr Hanson:** It was about Ms Hunter then, we agree.

**MS BRESNAN:** Mr Speaker, I have got the floor, if Mr Hanson could please be quiet. Just speaking to that, Ms Hunter was quite ill at the time and was at home and she had watched some of the streaming of the debate. So I think it is worth while making the point that that is the case. I think Mr Hanson should watch himself with those sorts of comments because they are getting completely out of hand and they are bullying. I think it is worth making that point. That was why Ms Hunter was watching the streaming.

**MR HARGREAVES** (Brindabella) (10.55): I would like to speak very briefly to Mr Corbell's amendments. I find it a bit mystifying actually that Greens members here will be putting forward an amendment which says that a non-government member shall be elected chair of the committee by the committee. It is telling the committee what it should do; really it could just say, "It shall be this." However, if we had passed the Greens' amendment in the first place, that a standing committee be given the task of examining the budget, a government member would have chaired one of those committees. I find there is a little inconsistency in this and I am—

**Mr Smyth:** Shocked. I'm shocked at their inconsistency.

**MR HARGREAVES:** Mr Smyth is shocked, but not for the first time has he been shocked in this place. The sad part is that the estimates process is one of the most serious examination exercises this parliament can do and I really think we should treat it a little bit more seriously. The committees are, in fact, creatures of this parliament and we should leave the committees to elect their own chair. I remind people that

there was a time when government members chaired the estimates committee and the sky did not fall in.

**Mr Doszpot:** Are you looking for a chairmanship, John?

*Mr Coe interjecting—*

**MR SPEAKER:** Thank you. Order, members!

**MR HARGREAVES:** I could do a better job than Mr Doszpot could, Mr Speaker, with one eye tied behind my back—very easily. In fact, I could do it in my sleep.

*Mr Hanson interjecting—*

**MR SPEAKER:** Order, members! Mr Hargreaves, one moment please.

*Mr Coe interjecting—*

**MR SPEAKER:** Order! Mr Hargreaves, one moment. Stop the clocks, thank you. Members, I would invite all of you to consider the calibre of debate in the chamber this morning. I think these levels of personal barbs are unnecessary and unbefitting of the chamber.

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

**MR HARGREAVES:** I do find it personally insulting that we would need to have a direction from the Assembly to a committee that a government member not chair a given committee.

*Opposition members interjecting—*

**MR HARGREAVES:** I think that has an underlying implication that that said government member, whether it be me—

*Opposition members interjecting—*

**MR SPEAKER:** Thank you, members.

**MR HARGREAVES:** or whether it be Ms Porter—

*Mrs Dunne interjecting—*

**MR HARGREAVES:** I am finding it very difficult to talk over the raucous crowing of the raven across the chamber, Mr Speaker.

**MR SPEAKER:** Thank you, members.

**MR HARGREAVES:** Very difficult it is, and I do not wish to raise my voice because I do not think I should have to. Mr Speaker, there is an underlying implication and a suggestion here that a government non-executive member cannot act as an impartial parliamentarian on a committee of this place.

I might remind people that the treasury bench, if you like, is occupied by different parties over different times and there will come a day when one of you, or your parties at least, will occupy this side of the house, and I have to tell you, I think I shall—

*Members interjecting—*

**MR SPEAKER:** Order! Thank you, members.

*Opposition members interjecting—*

**MR SPEAKER:** Order!

*Mr Barr interjecting—*

**MR SPEAKER:** Mr Barr, thank you.

**MR HARGREAVES:** I will, in fact, come back from the dead to congratulate them, I have to tell you, because that is how long it is going to take. It is going to take a very long time and I look forward to the grandchildren of those people over there—

*Members interjecting—*

**MR SPEAKER:** Thank you, members.

**MR HARGREAVES:** being at least reasonable in this notion that I am trying seriously to put to the chamber. It is a rank insult to the whole lot of us to suggest—

*Mr Barr interjecting—*

**MR SPEAKER:** Thank you. I think the joke has been prosecuted. Mr Hargreaves.

**MR HARGREAVES:** I think it is a rank insult to the whole lot of the members in this place to suggest that any one of us could not act as an impartial chair. I remind those opposite particularly to go back and have a look at the performances of government chairs of various committees over the time that I have been in this place.

I do not support Ms Bresnan's amendment. I would rather see the committee do its own thing and then it would be done on a negotiated basis amongst five equal parliamentarians on that committee. I would like to ask Ms Bresnan to reconsider putting that part of her motion forward because I really do not think it is appropriate.

Question put:

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

The Assembly voted—

Ayes 6

Noes 9

Mr Barr  
Ms Burch  
Mr Corbell  
Ms Gallagher  
Mr Hargreaves

Mr Stanhope

Ms Bresnan  
Mr Coe  
Mr Doszpot  
Mrs Dunne  
Mr Hanson

Ms Hunter  
Ms Le Couteur  
Mr Rattenbury  
Mr Smyth

Question so resolved in the negative.

**MS BRESNAN** (Brindabella) (11.03), by leave, I move the following amendment:

Omit paragraph (3), substitute:

“(3) a non-government Member shall be elected chair of the Committee by the Committee;”.

I will just speak very briefly to this. I take the point Mr Hargreaves has made but I think it is important that we do have a non-government member as the chair of the estimates committee, particularly because it is about the examination of the budget and because of the very fact that it is a budget put forward by the government. Mr Seselja chaired the committee for 2009-10 and Ms Hunter chaired the committee last year for the 2010-11 budget. So I think it is important that we have that process where we have a non-government member chairing the committee.

I will just make a point too on this particular part of the motion for Mr Smyth. I do not know what to call it—it is not really sneaky—but it was obviously a bit cheeky probably to put in that it had to be an opposition member. We know that there was much pouting and carrying on from Mr Seselja when he missed out on the chair last year, so obviously that is where that has come from. There is a bit of that going on, I guess.

But I still hope that the government will support this amendment because I think it is important that we do have a non-government member in the chair, and I would expect the opposition would support it anyway because it is about having a non-government member as chair of the committee. I do hope we receive support for this.

**MR HARGREAVES** (Brindabella) (11.04): Half of something is better than nothing, or something like that. But I do have a question about this. We have got, according to Mr Smyth’s motion, a five-member committee. We have now taken one of the people out of contention, for the position of chair. We will have, I presume, two members of the Greens, two members of the Liberal Party. I ask members to contemplate: what would happen if the government member abstained from the vote for the chair? You would have two all, and we will see what happens.

**MR SMYTH** (Brindabella) (11.05): I am not sure if that is a veiled threat, Mr Speaker, but we will wait and see, no doubt, what Mr Hargreaves will do. For as long as I can recall, the opposition put forward the chair of the estimates committee. When we were in government I think Mr Quinlan did it four years in a row as the

Treasury spokesperson for the opposition—indeed when there was a variety of crossbenchers that may or may not have done it.

There is a tradition—that is not to say that traditions should not be broken—but there is also a logic in that where you have already got the Greens committed to passing the budget you can put a question mark there over the commitment to true scrutiny, because at the end of the day they are going to pass it anyway. We have seen that two years in a row now. At the very first budget, Ms Hunter was out there on budget day; she had had a pre-budget briefing and she said: “This is a great budget and a win for the Greens; we are passing it.” There was no scrutiny, no listening to the evidence, no acknowledgement of the discussion that the committee would have. And in that way the Greens with their stated position are compromised in this.

I guess that is what comes when you are part of the Greens-Labor alliance: you will stick to what you believe in. Well, good luck to you. But at the same time there is a need for an appropriate process, as we have said. My position would be that traditions evolve because often they have a sensible underlying position behind them. It is appropriate for the opposition in many ways to chair this committee. But we understand the numbers. It is unfortunate that we have deteriorated to this.

Amendment agreed to.

Motion, as amended, agreed to.

## **Education, Training and Youth Affairs—Standing Committee Statement by chair**

**MS BRESNAN** (Brindabella), by leave:

The Standing Committee on Education, Training and Youth Affairs has resolved to conduct an inquiry into the accommodation needs of tertiary education students in the ACT with particular reference to:

1. Current accommodation options for students enrolled in ACT tertiary education institutions providing higher education and VET programs;
2. Models used in other jurisdictions to meet the accommodation needs of tertiary education students;
3. Student experiences of current accommodation options in the ACT, including the experiences of local, interstate and international students;
4. Strategies adopted by ACT tertiary education institutions to meet student accommodation and welfare needs;
5. Anticipated demand for student accommodation in the ACT in light of Commonwealth and Territory Governments’ priorities for the tertiary education sector;
6. Coordination and planning measures adopted by the ACT Government to meet anticipated needs in student accommodation;

7. General factors influencing availability and access to appropriate accommodation for the core demographic group (18-25 year olds); and
8. Any other relevant matter.

I just wanted to make a couple of brief comments as to why the committee has resolved to conduct this inquiry. There has been quite a bit of discussion generally in the community about the availability of accommodation, and affordable accommodation, for students. I would just like to read out a few facts in relation to that, which is why this inquiry has been prompted. Enrolment numbers in ACT universities—ANU and University of Canberra—are over 30,000. More than 13,000 new students commenced in 2009. Enrolment numbers at the Canberra Institute of Technology were over 34,000 in 2009. From 2012, following the Bradley review, caps on the number of places each university can offer will be lifted, which will obviously have an impact on numbers.

On average, approximately 6,000 international students access education services provided in the ACT. I have heard anecdotally that we have a number of new students coming to the ACT as first-year entrants to university. We also have a number of students coming to do their masters or other forms of education at university. Obviously it is even harder for them to find accommodation. I think that what we have heard anecdotally is another factor in terms of including international students.

In 2009-10, ACT export income earned from education services was around \$326 million, which is a significant figure. The ANU currently provides 4,600 beds for students and the University of Canberra has 1,600. Both have invested heavily in development of student accommodation, and that is something we have heard discussed at annual reports committees.

The CIT provides accommodation for 60 overseas students and is assessing the feasibility of further development to meet this need. I think all these factors demonstrate that this is a very important issue for the ACT. It is something which impacts on us not only economically but also socially. We do need to be looking at the needs of these students and how we can accommodate them in the ACT. The committee's inquiry will consider how the ACT is responding to the accommodation needs of students, with the understanding that this will be a crucial factor in the future of tertiary education services in the territory.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Women—equity of remuneration** **Statement by minister**

**MS BURCH** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women), by leave: I seek to provide the Assembly with a statement on the progress towards improving women's economic

and financial independence. This statement arises from Ms Hunter's motion agreed by the Assembly in February last year. I am particularly pleased to provide this statement as we celebrate 100 years of International Women's Day. I note that it is also a matter for discussion as the MPI this afternoon.

What started, Madam Assistant Speaker, as women factory workers protesting at their working conditions has become an important way of celebrating how far we have come in our struggle for equality, safety and representation. The ACT, compared to other parts of Australia, is a community where women have made significant gains in achieving gender equity, particularly in the ACT public service. Overall, most women in the ACT are well-educated, well-paid and have opportunities to participate in decision making. The higher rate of women's workforce participation here in the ACT and our relatively low gender pay gap reflects this.

The Australian Bureau of Statistics indicated that the gender pay gap in the ACT remains significantly lower than the national level of 17 per cent. For the commonwealth public service, there is a 12.5 per cent pay gap and, according to the Equal Opportunity for Women in the Workplace Agency, in November last year ACT women earned 11.6 per cent less than men.

When I last reported in this chamber on the outcome of the gender pay equity audit of the ACT public service in September last year, an analysis of the ACT Commissioner for Public Administration's workforce profile for 2008-09 revealed a pay equity of 5.5 per cent, less than half that across the whole of the ACT.

The commissioner yesterday released her workforce profile for 2009-10, which I am pleased to say showed the pay equity gap in the ACT public service had reduced to 3.3 per cent. This is quite a remarkable achievement in just one year. I believe it shows the strength of our public service. For the first time the commissioner's report included a comprehensive gender analysis of the public service. I am pleased that this will become a permanent section in all future workforce profiles.

The ABS also acknowledges that the workforce participation rate for women in the ACT was sitting at 70 per cent in January 2011, compared to a national average of 59 per cent. In January 2011, the unemployment rate for women in the ACT was three per cent, compared to the national average of 5.8 per cent. These figures show that most women in the ACT have greater employment opportunities and indicate that employers in the ACT recognise and value the positive contributions women make to the workplace. That said, this is not the experience for all ACT women. We know that women are overrepresented in low income households, in low pay sectors and in workforces where there are high levels of casual and part-time employment.

The ACT women's plan 2010-15 articulates our commitment to valuing and supporting and investing in women and girls, as well as our ongoing commitment to promoting and safeguarding the freedoms and rights necessary for all women and girls to live and actively participate across all aspects of Canberra life. The women's plan highlights key priority areas, all of which focus and encourage a whole-of-government and whole-of-community approach to driving change and progressing gender equity.



The ACT Office for Women is working closely with government departments to identify benchmark data for gender equity, and this work will be completed in the next couple of months. Indicators of progress, such as women's participation in non-traditional trades training, will be measured by enhanced data collection and analysis by the Office for Women. The Office for Women will publish ongoing progress outcomes which will highlight women and girls' participation and equity in our community against key indicators as established by the current women's plan. Progress will be published twice during the life of the 2010-15 plan.

In the last three years this government has announced new initiatives which seek to assist and encourage women to reach their economic potential. In January 2008, the former Minister for Women, Minister Gallagher, successfully launched the ACT women's return to work grant program. Each grant is valued at \$1,000 and is designed to assist women on low incomes to break certain barriers which they face whilst returning to work after an extended period out of paid employment.

These return to work grants are tailor-made for each applicant and their personal circumstances. The program and grants provide practical assistance to women by funding skills development and other related expenses. To date, over 300 women have received financial assistance through these return to work grants and the program. One woman, a mother of four, who is making a new life for herself here in Canberra, after fleeing conflict in Sudan, found it difficult to put food on the family table whilst attempting to meet the costs of studying for her bachelor of nursing. The \$1,000 return to work grant gave her financial relief and comfort and enabled her to buy textbooks and pay for course fees without breaking the family budget.

In May last year a survey of women who received a return to work grant in the previous 12 months showed that 78 per cent had obtained employment. Recently I have expanded the eligibility criteria for the return to work grants, with an overall aim of enabling older women to access this program and financial assistance. I have made these changes, Madam Assistant Speaker, because I recognise that in the modern day, increasingly older women are vulnerable to financial insecurity, and that women of all ages who have not been in the workforce for an extended period of time due to caring responsibilities can face significant barriers when trying to re-enter paid employment. I believe these changes to the eligibility criteria will promote the positive advancement of opportunities and employment security for older women.

In March last year I launched the ACT women's micro-credit loans program. This program is designed to give women with big dreams and big ideas and business initiatives, but who are unfortunately on low incomes, generous financial assistance to help them establish their own small business, which will provide them the opportunity to finally make their dreams a reality.

The micro-credit program includes mentoring and peer support, which complements the financial assistance of a non-interest loan of up to \$3,000. Seventeen loans have been approved within these first 12 months. Both the micro-credit loans program and the return to work grants program continue to support and assist women who are economically disadvantaged to commence their journey towards independence.

The ACT government is also committed to nurturing and supporting the young adults of tomorrow. We do this through the Audrey Fagan young women's enrichment grants program, which provides grants of up to \$2,000 for young women to develop certain skills and enhance the key knowledge of their chosen career pathway. Six enrichment grants were provided in 2009 and a further seven were provided in 2010. These grants have helped young women who, without the financial assistance, would struggle to pursue their careers in areas such as photography, nursing, culture, music and sport.

These programs may seem like a drop in the ocean against an entrenched inequality; however, their value cannot be underestimated. These initiatives provide women who have limited income and limited options with the support and assistance they need to make the most of the opportunities available throughout the Canberra community and workplaces. Funding through the women's grants program has enabled a number of community organisations to provide programs which support and develop women's financial independence. Organisations, including the regional community services, the YWCA of Canberra, the multicultural youth centre and the Gugan Aboriginal cooperation, all offer programs which support women to initiate the first steps needed to increase financial security.

The current skill shortages across trades provide a unique and empowering opportunity for women to participate in traditionally male-dominated employment areas. The overwhelming number of males in trades is widely understood. Historically, the physical nature of the trade workplace has segregated this into one that favours males. Sadly, this has changed little, despite the introduction of technologies which remove the need for absolute physical strength and labour. Yet despite this trend, which does seem to favour men in trades and trade workplaces, women, along with our partners at CIT, are actively working to break this historic norm.

In 2010 the CIT Fyshwick Trade Skills Centre organised a girls only "try a trade day". This event allowed high school girls to gain hands-on information about trades training in a female-positive trade environment. The response was quite overwhelming. Up to 40 attendees were expected, but more than 170 girls attended from a range of schools across the ACT and southern New South Wales.

The government supports and values the community sector, which is sustainable and viable and delivers professional services for people in need. Nationally, community service employees are predominantly female and females make up approximately 87 per cent of the community sector workforce. This trend is also reflected in the ACT community sector. Employment in the community sector in the childcare industry is also characterised by short-term positions, high mobility and predominantly part-time and casual employment.

Mr Speaker, the ACT government is the first jurisdiction in Australia to introduce a portable long service leave scheme for the ACT community sector. In doing so, the ACT government is helping to ensure the sector's vital role in providing assistance to our most vulnerable community members. This leave scheme supports a workforce that continuously gives so much back to the Canberra community. The scheme supports community organisations to retain a skilled workforce, which in turn will create a more sustainable childcare industry and community sector in the ACT. It also

helps workers to stay engaged in the workforce by protecting their basic entitlement of long service leave, even when it is accrued by service to multiple organisations. At this point in time, 228 employers and 7,391 employees have registered for the scheme.

I would also like to mention the work that is currently being undertaken to progress the gender pay equity at a national level. The modern award is a national initiative which provided a clearer industrial framework for community organisations. The Australian Industrial Relations Commission determined in the modern award that pay related to matters for the community sector will be deferred until the middle of this year. The commission has resolved to allow a pay equity case for the community sector to be considered by Fair Work Australia. It is likely that pay rises of between 18 and 50 per cent will be sought for the community sector workers. The ACT government is heavily involved in this work and its implications for our valued community partners.

The government continues to support the viability and sustainability of the community sector and has significantly increased financial support to the sector. The government has done this through improved indexation rates, expanding services, establishing a community support and infrastructure grants program and developing the first Australian portable long service leave scheme.

More broadly, the ACT has been a coordinator for a series of national pay equity roundtables. These roundtable discussions have been attended by women representatives of government, women secretariats, academia, the Human Rights and Equal Opportunity Commission, the Equal Opportunity for Women in the Workplace Agency and key advocacy groups. All of these women from their respective sectors and groups together are carefully working through the national implications of gender pay equity. The discussions provide an opportunity for the whole of government and the whole of community to come together to unpack the issues that underlie the gender pay gap.

Recently the Council of Australian Governments has agreed to a new and comprehensive reform plan of the ministerial council system. The Council of Australian Governments has agreed to create 12 standing councils and five legislative and government fora, plus five additional select councils, including a select council for women's issues. The terms of reference for standing councils will consider cross-cutting issues such as gender equality. This is a strong and positive result both in terms of the Council of Australian Governments for establishing a piece of gender equality architecture and for setting in a framework to ensure that gender equality is considered across the new ministerial council system and the COAG reform agenda.

The ACT will continue to be a strong and leading contributor to the national gender equality debate. This government has a five-year women's plan, which will contribute to improving women's economic independence in the ACT. This government has worked closely with the community sector and for women in the ACT and has delivered on initiatives to target women of need. As a community, we can all contribute to this government's commitment for women and girls to reach their full potential.

## **Dangerous Substances Amendment Bill 2010**

Debate resumed from 9 December 2010, on motion by **Ms Gallagher**:

That this bill be agreed to in principle.

**MRS DUNNE** (Ginninderra) (11.27): The Liberal opposition will be supporting this bill, which amends the definition of asbestos for the purposes of the Dangerous Substances Act 2004 and the dangerous substances (general) regulation 2004. The definition seeks to clarify that only mineral forms that contain asbestos should be caught by the legislation. Some minerals may or may not contain asbestos, depending on whether it has fibres or crystals.

The bill also omits the term “asbestos product” as apparently this term is no longer used. Currently the act defines asbestos product as “anything that contains asbestos”. It gives the example of a material formed by mixing asbestos fibres with plaster, cellulose, clay or an adhesive product. Despite this amendment, the regulations will continue to carry reference to and control of “asbestos product”. Thus it will continue to refer to “asbestos product” even though the term is apparently no longer used. I will talk a little more later on about the confusion that this has caused.

The amendment arises as the result of a request in a letter dated 21 June 2010 from the then commonwealth Minister for Industrial Relations. In that letter, the minister asked all jurisdictions to introduce this legislation as a matter of urgency. In developing the suggested approach, the federal government consulted with national bodies. Apparently, more substantive changes were anticipated, but this measure has been seen as an effective interim stopgap. So the definitional issues were identified and formulated in June and only had to be drafted into legislation at the local level.

The ACT did not introduce this bill until 9 December 2010, slightly under six months later. If this is the government’s view of urgent, I would hate to have experience of what the government thinks is unimportant or non-urgent. That said, Mr Speaker, I note that as of the beginning of February this year only South Australia and the Northern Territory had introduced and passed legislation. So although I think that the ACT government has been slow on this, other jurisdictions have been slower. In introducing this simple amendment, this government has managed to create a moderate amount of confusion anyhow.

The bill we are debating today is touted as allowing clarity for industry, particularly those who use minerals that may or may not contain asbestos in a form that poses no health risk. The minister’s introductory speech gives tremolite as an example. It can be in an asbestos form—that is, carrying fibres—or a non-asbestos form—that is, carrying crystals. This mineral in its crystal form is used by jewellers to make jewellery. The amendment would allow them to continue in their trade using the crystal form of the mineral without being in fear of contravening the act or regulations, or any of the importation prohibitions there are on asbestos.

However, as I have already said, the bill also carries some quite confusing terminology. Whereas on the one hand, the bill omits the expression “asbestos product” from the act, the regulation continues to refer to “asbestos product”. Like the

definition that we discussed recently about “private legal practitioner” in the legal aid bill, the confusion is like trying to draw a single strand out of a bowl full of spaghetti.

The minister has acknowledged this confusion and has provided me with an explanation of the intent. This is the explanation that the minister gave me in relation to the act:

s47A is amended to cover only the types of asbestos we wish to control.

In relation to the regulation, the explanation is:

The Regulation is amended as follows:

s3 Note 1 will be changed to read, “*For example, the signpost definition asbestos product, for chapter 3 (Asbestos and Asbestos products)—see section 301.*”

s301 is being amended to omit the definition of asbestos altogether, so that all that remains is “asbestos product”

*“Asbestos product means anything that contains asbestos”.*

What we have is “asbestos product” meaning anything that contains types of asbestos we want to control. This is the definition, the explanation that came from the minister’s department. In the dictionary of the regulation, we will have at note No 3, page 189, “asbestos” being added, with the effect that asbestos will “have the same meaning as it has in the Dangerous Substances Act”—that is, the types of asbestos we wish to control.

There, Mr Speaker, is the end of the definition that was given to me about the interaction of asbestos and asbestos product in the ACT statute book. I am sure that none of us are any the wiser as to what this actually means.

I understand the minister will take some time in her concluding comments to clarify this matter. I hope that her clarification is more clear than the clarification that was given to me when I asked for it. Other than that, Mr Speaker, we commend what is supposed to be a simple amendment to make life easier for people in the ACT. I hope it actually has that effect.

**MS BRESNAN** (Brindabella) (11.32): The Greens will support the Dangerous Substances Amendment Bill. The bill proposes changes to the definition of the term “asbestos” as it is used in the ACT Dangerous Substances Act and its accompanying regulation. The change will ensure that the definition of “asbestos” will accurately capture asbestos and asbestos products, but will not inadvertently capture materials that do not contain asbestos. Certain minerals have asbestos forms and non-asbestos forms and it is important to distinguish between the two.

Common products such as talcum powder, jade or soil additives can be made from the benign form of these minerals, and they should not be captured under the definition of asbestos that is used for health and safety regulation. The amendment to the definition ensures that it does not cover minerals in their non-asbestos form.

Asbestos poses a significant and serious health risk and is implicated in life-threatening diseases such as lung cancer, asbestosis and mesothelioma, and it has caused incalculable suffering to many Australians. It is essential that our laws to regulate this toxic product are robust, accurate and effective. I understand that this definitional change is the result of a process of review by the national industrial chemicals notification and assessment scheme. This scheme is the commonwealth regulator tasked with managing the national notification and assessment scheme in order to protect people's health and the environment from the harmful effects of industrial chemicals.

The scheme reviewed the definition of asbestos, the differences between the various mineral forms, the health effects and the scientific testing methods for asbestos. Following the review, it advised that all states and territories should refine the definition of asbestos used in local regulations, so that the relevant names of the different asbestos-related minerals are expressed in a specific way. I understand that Victoria, Northern Territory and South Australia have recently introduced these same changes and the same process is underway in other jurisdictions.

The Greens will support the definitional change to the term "asbestos" that is proposed through the bill. It is part of a national process involving the national regulator. It will help to ensure that our local asbestos laws remain up to date and accurate and that they can operate without unnecessary confusion or unintended consequences.

I would just like to note on this issue, particularly in relation to asbestos, that the Greens would also like to see down the track the development of an asbestos register. This is something that the government has indicated initial support for. I believe this would be the next step in providing further protections for people exposed to asbestos and the damage it will do to their lives in the future.

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (11.35), in reply: I thank members for their contributions today. The Dangerous Substance Amendment Bill 2010 will amend the definition of asbestos used in the Dangerous Substances Act 2004. This definition will also apply to those parts of the dangerous substances (general) regulation that apply to asbestos. The purpose of this amendment is to clarify what should be treated as asbestos for the purposes of health and safety regulation.

As I have already advised members of this Assembly, asbestos is a naturally occurring silicate that can be present in a range of minerals. The same minerals might not contain any asbestos at all. From a legal point of view, it can be very difficult to accurately state what governments are trying to regulate for health and safety reasons. The asbestos form of these minerals, such as the mineral tremolite, may contain asbestos but could also be used to make a range of other products, such as decorative household tiles.

I would like to take this opportunity to clarify one aspect of the bill in accordance with the revised explanatory statement I tabled in relation to the bill earlier this week. As set out in that statement, "asbestos product", where that term is still used in the legislation, refers to all of those products that contain asbestos, as that is now more

accurately defined. I am not sure that helps any of us, but Mrs Dunne's speech I think went to those points.

The Dangerous Substances Act 2004 is designed to protect the health and safety of both workers and members of our community, and to protect property and the environment from risks associated with all dangerous substances. Those substances range from commonly known dangerous goods such as explosives to asbestos and other carcinogens. To ensure that the act remains an effective means of regulating these chemicals, from time to time it will require amendment to ensure that it is up to date.

After receiving a request from the commonwealth to review this matter, I did initiate an urgent review to ascertain whether the Dangerous Substances Act required amendment. I am advised that the definition presently set out in chapter 3A of the Dangerous Substances Act does not strictly use the new terms recommended. As such, it may inadvertently capture minerals that do not contain asbestos, as well as products made from those minerals.

In 2005, the ACT Asbestos Task Force report handed down recommendations on the extent and impact of asbestos in the territory. That report led to the preparation of an education and awareness campaign and presented the government with a practical, cost-effective and balanced approach to managing the health risks posed by asbestos. The government agreed, or agreed in principle, to all 25 task force recommendations contained in the report. Since 2005, the Dangerous Substances Act 2004 and related laws have been amended to implement key aspects of that response.

In February 2010, the government established an independent review of the ACT asbestos management strategy and the recommendations handed down from the task force report. The independent reviewer was asked to inquire into the effectiveness of current management and regulation and to recommend any measures to improve asbestos management. That review has also reported to the government on progress in implementing the response to the task force report, on the effectiveness of the law, and of education and health strategies.

The review has identified a number of new challenges, such as ensuring that those frameworks for formal, systemic information sharing and coordination are put in place across government. The review has also confirmed that there is ongoing need for community awareness and education to reinforce key safety messages and to ensure that the Dangerous Substances Act and related laws in relation to asbestos safety are well understood and obeyed.

The community will substantially benefit from the introduction of this legislation. As the national leader with respect to asbestos regulation to date, the government remains strongly committed to ensuring that legislation in this area is as robust and as effective as possible. Our commitment is reflected in the bill, which ensures that legislation protecting the territory community from dangerous substances remains effective and up to date. I commend the bill to the Assembly. I thank those officers that have worked hard on this bill and other members for their contribution to the debate.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Human Rights Act 2004 Paper**

Debate resumed from 18 August 2009, on motion by **Mr Corbell**:

That the Assembly take note of the paper.

**Mr Rattenbury**: I will not be taking my option to speak, Madam Assistant Speaker; I believe Ms Hunter will.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (11.41): The Greens are very pleased to have the opportunity to reflect upon the issues raised in the review and put our views on the process towards being a more human rights compliant jurisdiction. The report highlights the range of improvements that can be made to the Human Rights Act and the process we go through as a legislature to ensure that we are protecting human rights.

If we do truly want to be a jurisdiction that not only respects basic human rights but consistently strives to be a leader in human rights protection for the full range of human rights that we should all enjoy, we must not only take note of the findings but move to implement them.

The Greens remain very strong supporters of the value of a Human Rights Act and maintain our ongoing commitment to ensuring that all legislative, executive and judicial action in the territory respects and does not unreasonably limit human rights. To this end, we included measures in the parliamentary agreement to further the human rights cause in the Assembly and the territory. These measures are considered favourably by the report and the Greens hope that we can work constructively with all members of the Assembly to implement effective measures that improve Assembly process and human rights outcomes.

It is through the Human Rights Act that we show our real commitment to human rights. What this report shows is, firstly, that in the first five years the Human Rights Act has been a practical and effective means of promoting human rights and, secondly, that its potential has not been fully explored. Indeed there is much that still can be improved and achieved in our effort to remain a leading human rights jurisdiction.

One consistent theme throughout the report is the need for improved education on human rights responsibilities. The report strongly advocates for greater education on the operation and application of the Human Rights Act at all levels and throughout all arms of government. Particular attention is given in the report to government agencies and those entrusted with exercising discretionary functions. Emphasis is placed on the need to educate officials in these roles as well as those responsible for developing



legislation to ensure that human rights issues are considered at every stage of the decision-making and policy development processes.

In particular, recommendation 5 of the report highlights the urgent need to update the guidelines for ACT departments developing legislation and policy. I hope the government can give the Assembly an assurance that this process is underway and that we can expect revised guidelines in the very near future.

In addition to this, the report makes the recommendation that funding be increased for the human rights unit to allow it to expand its educational capacity and undertake the necessary education for all government agencies and executive officers. The Greens support this recommendation and would like to express the view that greater awareness and improved understanding and dialogue about human rights is an essential part of the development of an effective human rights framework and ultimately the delivery of outcomes that respect human rights.

The report also recommends greater training for judicial officers and legal practitioners to encourage greater awareness of the application of the Human Rights Act. At the time of the report there had been 91 cases which considered the Human Rights Act. The report notes that often this consideration was limited and “very superficial”. Of course, since the report was completed we have had the first declaration of incompatibility and are currently awaiting the government’s response to the decision.

As well as that particularly significant case, there have been over 100 cases across the Supreme Court, the Magistrates Court and ACAT that have considered the Human Rights Act. Again, while these were often superficial mentions of the act, particularly in the early days of the act’s operation, increasingly the courts are engaging in a more and more meaningful way with the act. The dialogue model is working and proving to be a very valuable way of promoting human rights and improving our practices. In light of the 2008 amendments and the expanded role of the Human Rights Act in administrative decision making, it is also a very positive development that ACAT has been increasingly willing to consider and engage with the practical application of the Human Rights Act to the administrative decision-making process.

On this point, I would like to highlight the case of *Watson v ACT Planning and Land Authority*, where Presidential Member Professor Peta Spender made a specific recommendation that ACTPLA renotify the development in question to ensure consistency with the Human Rights Act. Ms Le Couteur asked questions of both the planning minister and the Attorney-General to find out what the government was doing about this and received a disappointing response. Ultimately, the government, after having voted down a Greens initiative, did address the issue and legislate to address the issue.

In the context of tribunals it should also be noted that the report recommends that tribunals come under the public authorities definition, so they themselves are captured by the Human Rights Act.

One further issue of particular concern to the Greens is the consistent absence of detailed statements of reasons for certificates of Human Rights Act compatibility that

accompany government bills presented to the Assembly. Item 3.8 of the parliamentary agreement requires that detailed statements of reasons for compatibility decisions be provided to the Assembly. The report discusses this issue and recommends that detailed statements of reasons that adopt a clear section 28 framework be provided or omissions explained. This would greatly improve all members' understanding of the operation and application of the Human Rights Act and assist in the development of future legislation.

I would like to add that the interaction between the ministers and the scrutiny committee is often poor. I find the lack of respect afforded to the committee very concerning. The scrutiny committee plays a vital role in the development of human rights compliant legislation and the poor-quality justifications that are given to the committee after matters have been drawn to a minister's attention makes it difficult to believe that there is a genuine desire on the part of government to properly consider and engage with the human rights issues that their proposals present. It is very disappointing that the scrutiny committee still receives responses to its concerns which make the repeatedly highlighted mistake of just asserting the compliance of a provision because the Attorney-General had signed a compatibility statement.

The development of a framework for statements of reasons to ensure that they are adequate and useful to members of the Assembly and the scrutiny of bills committee is an excellent idea and I hope one that will come to fruition very soon. I would also like to note the report recommendation that the human rights unit undertake to inform responsible agencies of the different functions performed by the scrutiny of bills committee and compatibility assessments and statements provided with the bills.

Also, in regard to the role of the scrutiny committee, the Greens support the recommendation that the terms of reference for the scrutiny committee be amended to require it to report against the Human Rights Act on the issues raised by subordinate legislation. Again, we look forward to working with the other parties on the implementation of this measure.

A further matter that is considered in the parliamentary agreement and the report is the availability of human rights assessments and compatibility statements for private members' bills. Given that all acts of the Assembly are of equal legal weight and importance to the community, it is important that thorough human rights consideration be given to all bills. The Greens do understand the practical issues that this initiative raises, and we hope we can work constructively to find a solution that adopts the report's recommendation and finds a position that ensures Human Rights Act compliance for all bills.

I would also like to address the committee recommendation that all private members' bills should be subject to the same rules requiring members to respond to scrutiny reports and explain non-responses. The Greens agree with this recommendation and support the concept that all bills should receive equal human rights scrutiny and be subject to the same mechanisms to ensure that all members can be confident of human rights compliance.

The report also raises the issue of amendments made on the floor of the Assembly and possible mechanisms of evaluating Human Rights Act compatibility. It may well be

that there are unintended consequences that arise from the amendments that we need to safeguard against. Given the obvious difficulties of evaluating legislation that has been passed, this is something that the Greens are also keen to work with other members on, to find an effective and practical solution to address this issue. I should note that the scrutiny committee has now set up a process for members to submit their amendments for review. Of course, this is a very positive step and one the Greens very much support and undertake to avail ourselves of to the greatest extent possible.

I would like to take the opportunity to discuss economic, cultural and social rights. Mr Corbell, in his speech, noted that these issues are outside the scope of the report but reiterated the government's 2006 commitment to consider the inclusion of such rights in the ACT Human Rights Act. I note that the human rights project that undertook the review has also completed a project evaluating the desirability of including economic, social and cultural rights, and recommended that we should expand the Human Rights Act to include these things in addition to the current protection for civil and legal rights. The Greens support the inclusion of such rights and the potential they have to improve the governance of the ACT and the lives of Canberrans.

The minister, in his speech, expressed some concern that no other jurisdictions had yet adopted such rights. I would like to express the Greens' view that in itself this should not dissuade us from expanding our act. We are well aware that there are difficulties in developing an effective framework for the application of such rights. We are very pleased that significant research has now been undertaken that confirms that it is possible and desirable for the ACT.

The Greens have consistently expressed our support for the adoption of economic, social and cultural rights—ever since 2002, when the debate for a Human Rights Act first began in the Assembly. Australia is a signatory to the International Covenant on Economic, Social and Cultural Rights. To enact legislation adopting these rights and ensuring they are respected in the ACT would be a positive and progressive measure. I note that the adoption of these rights is supported by many community organisations, including the National Association of Community Legal Centres, the Human Rights Law Resource Centre, the Kingsford Legal Centre and the ACT Council of Social Service.

The history of human rights is fascinating and troublesome. The fact that the ACT has the opportunity to be a significant part of that history as a leading jurisdiction not just in Australia but throughout the world is something that I think we should all be exceptionally proud of. We have available to us considerable research and knowledge, and we live in an enlightened and progressive community that expects us to continue to develop our human rights framework.

The Greens welcome the report on the first five years of the operation of the act, and I would like to take the opportunity to express our sincere gratitude to all members of the ACT Human Rights Act research project, particularly Professors Hilary Charlesworth and Andrew Byrnes. The report provides an excellent opportunity for all members of the Assembly to evaluate the Human Rights Act and consider a range of initiatives for reform. Noting the particularly high quality of the report, we are also pleased to support the proposal for an ongoing requirement to undertake future five-yearly reports.

The Greens very much look forward to working with all members to improve the recognition of human rights in the Australian Capital Territory.

**MR SESELJA** (Molonglo—Leader of the Opposition) (11.53): I would like to add a few words to this debate from the perspective of the Canberra Liberals. I think the human rights debate around the nation has been an interesting exercise. We have seen significant divisions nationally in the Labor Party over this issue. Some very high profile Labor leaders, such as Bob Carr and John Hatzistergos, have been arguing very cogently against the concept of a charter of rights or a bill of rights. Alternatively, we have seen the ACT Labor government and the Victorian Labor government pursue this issue.

But at the heart of the drive for bills of rights and charters of rights is a lack of trust in the legislature. It is effectively saying that if it is just left to the legislature and the processes we have inherited and refined over many hundreds of years, people's human rights will not be protected. Of course, it was that thinking, perhaps understandably, in the US context that led to their Bill of Rights being constitutionally enshrined. Anyone who has looked closely at the experience in the US would say that that has not been a success. Gun control is an obvious example where, in many cases, even a basic restraint of people's ability to carry weapons is deemed unconstitutional due to their Second Amendment rights, I think it is, to bear arms.

We have a different scenario here, but that gives some context as to where these things can eventually go and the dangers of a charter of rights or a bill of rights, and why many lawmakers, including many significant figures in the Labor Party, argue against them. In fact, the federal Labor government recently looked at this issue and appeared to in the end back away from it. Having had Father Frank Brennan look into this issue on their behalf, the federal Labor Party appears to have walked away from the issue, and with some justification.

There are a number of criticisms, and I will go into why we had concerns when the Human Rights Act was passed. The concerns are that the power is taken away from the legislature and that we eventually see a pitting of the human rights of one group or class of people against the rights of another group or class of people, and I will touch on some examples of that.

The other concern that we raise is that having a human rights act is the government's way of saying, "Well, we're human rights compliant because we've have got a human rights act," even if they subsequently ignore that act and do not deliver human rights in many cases. I will touch on those various aspects.

In terms of the unintended consequences—perhaps the intended consequences for some people—of rights being pitted against common sense, we do not have to look too far to find examples. Of course, the most recent example here in the ACT was the issue at Lanyon high school. We have a very hard-working, diligent principal in Bill Thompson seeking to work with his community to work against truancy. Undertaking his legal obligations as principal, having responsibility for these students, one of the ways he wanted to work against truancy—certainly by no means the only way—was to stop kids hanging out in local shops. Some of the wagging kids would end up at the

local shops, so he wanted to work with local shop owners to say, “Let’s work together. Let’s not have kids hanging out. Let’s not give them any more incentives than they would otherwise need to wag school. Let’s work together to keep them in school”. I think we would all agree that that is a very good aim from a principal. He was thinking laterally, and he got some agreement.

The initiative was reported at the time, and some businesses chose not to cooperate. That is their choice as business owners; no-one was being conscripted into such an arrangement. But many businesses joined the initiative. Then we had a response from the human rights commissioner, backed by the Labor Party and the Greens in this place, saying, “Well, this is against the Discrimination Act. This is potentially denying the right of a child or young person to shop at a store. They are being discriminated against on the basis of their age”. Common sense tells us they are not being discriminated against on the basis of their age; they are being discriminated against on the basis that there is a legal obligation for them to be at school during those hours. That is a completely different proposition and quite a sensible proposition. In fact, this situation is now being followed in other places.

It was reported earlier this year that the Hungry Jack’s store in Fremantle, at the request of the police, will not serve kids during school hours as a method to battle truancy. They have done that without the fear of being told by a human rights commissioner that they are somehow breaching the law. In many cases it would not be in the personal interests of small business to refuse to serve people; they are potentially losing some business. Some might say it is a good business decision; some will see it as a bad business decision. But those that make that decision should be free from the threat that they are somehow breaching the law. If that is the law, then the law should be changed.

We get into a situation where we pit human rights—and an odd interpretation of human rights, it must be said—against what most people would see as common sense. School communities should be able to work with local businesses and with their local communities to try and fight truancy.

That is a really stark example of where these things can go wrong and where we will be critical of how these things operate. I think the treatment of Bill Thompson is a stark reminder that sometimes the Human Rights Act, its operations and all the arms that come from it have not had a good impact. In that case, they had a negative impact and undermined the ability of a school community and a principal trying to do their job, part of which is keeping kids at school.

**Mr Corbell:** It was not the Human Rights Act; it was the Discrimination Act.

**MR SESELJA:** Well, again we have the interjection from Simon Corbell, who has been the chief cheerleader for this approach by the human rights commissioner. He is saying that the comments from the human rights commissioner are irrelevant, that businesses can just ignore them—

*Mr Corbell interjecting—*

**MR SPEAKER:** Mr Corbell, you will have your chance in a minute.

**MR SESELJA:** We do not see it in other jurisdictions, funnily enough. They have discrimination acts, yet we do not see this happening in Queensland and WA. In fact, the Queensland government appears to be encouraging this, and good on them. People would expect some common sense.

You have got the unintended consequences, and they will grow. It takes many years for the unintended consequences—or the intended consequences for some people—to actually occur. But, the other aspect that I touched on was that the government is able to say, “Look, we’ve got a human rights act. We’re human rights compliant. All our prisons are human rights compliant. You can’t criticise us for people’s breach of human rights because we’ve got a human rights act.” Of course, that is not true.

We have seen that human rights compatibility statements are not worth the paper they are written on. Ms Hunter touched on some of the frustrations the committee faces in looking at these things. But we saw the starkest example in relation to legislation introduced by the health minister and which was declared by the Attorney-General—his signature was on it—to be human rights compliant. Of course these laws in their effect were actually more onerous than the anti-terrorism laws that were being debated around the same time. Yet we had the Attorney-General saying that they were human rights compliant. This is the other side of the debate—they will use it as a shield that still allows people’s human rights to be taken away but, “We’ve got a human rights act and it’s human rights compliant.”

Let us look at that. The seemingly minor amendments to existing health laws would have allowed the Health Professions Tribunal to issue warrants for the detention of health workers suspected of misconduct. Police officers enacting the warrants would have been empowered to use force to detain and move those suspected of malpractice to tribunal hearings. The powers were largely unrestrained by safeguards. But these were declared to be human rights compliant, and this goes to the point. If you are going to have a Human Rights Act, you should actually comply with it. If you say that something is human rights compliant, it should be, and we have not seen that.

I did compare it at the time to the controversial anti-terrorism laws, because it actually provided fewer legal safeguards. So health workers were treated worse than suspected terrorists if they were suspected of some kind of improper act. They were denied legal safeguards such as access to lawyers and maximum detention periods.

There are two sides to this coin. We have on the one hand the unintended consequences, where we see common sense thrown out the window in the name of human rights. I do not think there would be many people in the community who would support that approach and say it is unreasonable discrimination not to serve someone who has a legal obligation to be somewhere else at the time—that being school, for example.

We can look at the prison. Is anyone really claiming that it is human rights compliant? It is expensive, but if we look at the outcomes, they are not respecting anyone’s human rights—not the corrective services staff and not the prisoners. We can go through all of what has happened since we have had a Human Rights Act. We could talk about the Attorney-General prejudging a case of two remandees. I suspect that

that is not battling for their human rights to a fair trial. The right to a fair trial was entrenched well before we had the Human Rights Act, yet the Attorney-General was coming out and saying people were guilty before they had actually been found guilty.

The human rights commissioner found that the BRC was overcrowded because of delays to the AMC and that this exacerbated human rights issues at the BRC. Because the government ran out of money, we have seen the lack of certain basic facilities, including insufficient funding for the human rights commissioner to conduct a human rights audit.

It is worth concluding by saying that, firstly, the philosophical principle behind bills of rights and human rights acts is questionable, and I have laid out some of the concerns that we expressed at the time. A human rights act should not be used as an excuse not to get the job done. These human rights exist quite separate from the Human Rights Act. There are some fundamental human rights. Some of them are in our constitution; some of them are expressed through common law; many others are protected through legislation. They should be protected regardless of a human rights act.

If you are going to pursue this and pretend that you are a human rights compliant jurisdiction committed to human rights, you should get the job done. You should be honest when you sign a compatibility statement. We should be able to trust that some basic checks have actually been done to reflect that. We should not see a human rights act impinging on common sense, as we have seen in a number of cases.

This is an ongoing debate. We will continue to be part of that. There are ongoing concerns, and if the government are going to continue with this kind of legislation, they should make it work and they should actually protect people's human rights.

**MR HARGREAVES** (Brindabella) (12.09): It is a pleasure to participate in this debate. A five-year review of any significant piece of legislation is something of a watermark, particularly when the legislation in question is as controversial as our Human Rights Act. In some ways this is an extraordinarily timely debate, perhaps even serendipitous, coming at a time when we are embroiled yet again in a conversation about the right of the ACT parliament to legislate on its own behalf for its own community.

Indeed, let us not forget that the ACT Human Rights Act was itself a target of disallowance by the then Howard government during the war on terrorism, when this government dared to hold the Howard government's proposed terrorism laws up for scrutiny against what was, at that time, the nation's only bill of rights. For the Howard government, of course, the ACT Human Rights Act was an inconvenience, an inconvenient prod to its conscience, an inconvenient reminder of Australia's international obligations regarding human rights, coming right at a time when the commonwealth was trying to convince Australians that they ought to surrender those very rights and cultivate instead a culture of fear.

Just think, if that threat of disallowance had been carried through we would not be able today to celebrate the improvements in the quality of law making that the ACT Human Rights Act has brought about in this city. How fitting that we reflect on that

narrow escape, this week of all weeks, when we are again debating the merits or otherwise of the capacity of a federal minister to overturn an ACT law on a whim. How fitting too that we are able to see that good, thoughtful, socially progressive law making actually does have an impact on a community, that it can drive incremental and valuable change and that it can be a power for good—the kind of progressive law making for which this territory is known and the kind of law making that remains vulnerable unless the self-government act is amended.

The mandated five-year review of the Human Rights Act digests and analyses five years of information about the implementation and impact of the Human Rights Act on the government in the ACT, as collected and analysed by the ACT Human Rights Act research project. The project was led by two of Australia's pre-eminent human rights lawyers, Professor Hilary Charlesworth and Professor Andrew Byrnes.

Professor Charlesworth was well qualified to lead the project as she had previously led the ACT Bill of Rights Consultative Committee, which was the committee that initially recommended a bill of rights for the territory. Professor Charlesworth and Professor Byrnes have continued to be involved in the research that will inform the ACT's way forward in this area.

This government is proud of the fact that the ACT was the first jurisdiction in Australia to enact a bill of rights, in the form of the Human Rights Act 2004. Its enactment followed extensive community consultation by the ACT Bill of Rights Consultative Committee. The ACT provided a model for Victoria, the only other state to follow the ACT's example, which commenced its charter of human rights and responsibilities on 1 January 2007. Since then, of course, the commonwealth's own consultation on rights protection has recommended a national charter, a recommendation that has not, unfortunately, been pursued by the Australian parliament to date.

Given the ACT's commitment to promoting a rights-based society, the government needed to gauge our progress toward achieving such a society and take any necessary steps to enhance the protection of rights in our territory. This report marks an important step in the ACT's development and growth as a rights-based society. The Human Rights Act incorporates most of the civil and political rights guaranteed under the International Covenant on Civil and Political Rights, including such fundamental rights as the right to equal treatment, freedom of movement, freedom of thought, conscience, religion and belief, freedom of association and rights in criminal proceedings, to name just a few.

The Human Rights Act was established as a dialogue model to encourage a meaningful conversation about human rights issues between the three arms of government—the legislature, the judiciary and the executive—as well as with the broader community. The Canberra plan: towards our second century reinforces the ACT's commitment to promoting a human rights culture across the full spectrum of its policy development and program and service delivery. This is a commitment the government takes very seriously. It is therefore gratifying to read in the five-year report:

... one of the clearest effects of the [act] has been to improve the quality of



law-making in the Territory, to ensure that human rights concerns are given due consideration in the framing of new legislation and policy.

As the Attorney-General noted on 18 August 2009, the review expresses disappointment that the courts have largely remained a spectator to the human rights dialogue over those first five years, with the use of the act in court proceedings being perfunctory and displaying a lack of understanding by the legal profession. The review concluded that the ability of the act to generate dialogue between the courts and the legislature was in question until the courts fully grasp their part in the conversation.

In this regard, the ACT came of age in November last year, with the first-ever declaration of incompatibility made by the ACT Supreme Court in the matter of an application for bail by Isa Islam. That decision signals a triumph for the dialogue model, providing an opportunity for further robust discussion about how the legislature responds. I am also pleased to see that, in February 2011, the High Court of Australia heard Australia's first human rights case on appeal from Victoria, *Momcilovich v R* and others. Both these events are important landmarks in Australia's human rights journey as they indicate a willingness to explore the application of critical human rights in our society.

Of course, the report highlights areas where more work needs to be done. The human rights performance of public authorities as assessed in the five-year report is not exemplary. The report identifies that the public sector has been slow to develop a culture of human rights. Still, there is reason for hope. We have yet to evaluate the impact of public authorities' duty to comply with the act, as this amendment only commenced on 1 January 2009. However, anecdotal information received from community consultations following this report is that organisations are using the act more as a result of these amendments and that there has been an impact on policy.

The government acknowledges that there is more work to be done, both in government and in the community, to promote a rights-based society in the ACT. But there is no question that the Human Rights Act has been a galvanising piece of legislation, without which the development of a genuine culture of respect for human rights would be more difficult, less focused, less robust and, importantly, less resistant to erosion when the times get tough. I look forward to doing this work in consultation with our community and to the ongoing strengthening of rights of all Australians—incremental work and rightly so.

It does seem extraordinary, from this distance, to recall the language of the Liberal Party in this place at the time the bill was introduced. "The sky would fall," those opposite implied. "Criminals would run amok on the streets. Sectoral interests would hold sway over a downtrodden and resentful majority." None of it happened, of course. And now the nation can see and learn from our pioneering experience.

I, along with many Australians, trust the day will come when the Australian parliament will, maturely and confidently, decide that the nation as a whole could benefit from a charter of rights. Until then we will continue to do what we can, in our

community, in our courts and in our legislature, to create a city where human rights are taken seriously.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (12.17), in reply: I thank members for their contribution. This is an important review of the operation of the ACT's Human Rights Act, the first bill of rights in the country, and a great example of how the territory works to advance important reforms that are of benefit to its community as well as of great interest to many other parts of the nation.

A few comments have been made in the debate today that I think are worthy of response from the government. The first, of course, is the suggestion that a Human Rights Act has overwhelmed the primacy and the supremacy of the legislature, of the parliament. Of course, there is no evidence to back up that claim. In fact, the silly claim that we have heard from the Leader of the Opposition is refuted by the authors of this review, both in the review and in many other documents and analyses of how the dialogue model works. And it really does highlight the paucity of interest that those opposite demonstrate in this issue and their fundamental lack of knowledge about how the dialogue model operates.

Let me give you an example. Recently the Supreme Court held that a part of the Bail Act was incompatible with the Human Rights Act, the first such declaration of incompatibility made by the Supreme Court. Did that in any way affect the court's application of that law as passed by the Assembly? Indeed, did it result in the law being null and void in that regard, which was about the primacy of people charged with serious crimes having to be, in almost all instances, held in custody on remand?

No, it did not. It did not affect the operation of the law one little bit. The court still had to apply the provisions of the Bail Act, as this Assembly had determined it should, even though the court found that that provision of the Bail Act was incompatible with the Human Rights Act. I would have thought that demonstrates precisely that the will of the parliament is supreme in the operation of our Human Rights Act and that the courts cannot overturn or read down provisions that this place has said should be in statute. So that first argument from Mr Seselja just does not hold any water.

Of course, the value of the dialogue model is that it requires executive government to be cognisant of and have due regard to the rights that are protected in that legislation. And it requires it not just when the matter is brought on for debate in this place; it requires it at every level of the development of a legislative proposal. It requires it to be built into the policy development phase so that, from day one, departments and ministers must have regard to whether or not the proposals they put forward to this place are compliant with those universal rights that are enshrined in our act and, if they are not compliant, there needs to be good reason why those rights should be deviated from to some degree, and justification given.

That is the whole point of the human rights model. It is about demonstrating that these issues have been had regard to and properly respected and only overridden to the extent that it can be justified in a proportional context. That is the value of the

dialogue model. It creates a culture of human rights compliance within agencies and within portfolios.

What is wrong with that? What is fundamentally threatening about that? The only people who are threatened by it are those who believe that executive government should act in a manner which has no regard to those issues or which can easily dismiss such arguments. And that of course goes straight to the heart of how a Liberal government in this place, should it ever be formed, would operate. It would not have regard to those rights. It is saying it is not important to develop legislation in a way that has regard to those universal principles and rights enshrined in our act. That is what Mr Seselja is really saying today. He is saying that a Liberal government would not have regard to those matters when it comes to the development of legislation to be put before this place. And he should be held to account on that.

Of course we also heard the absurd argument from Mr Seselja that a statutory officer, the Human Rights Commissioner, should not speak out and publicly defend and remind people about the operations of a piece of law passed by this place. Mr Seselja says that, under the human rights framework, parliament's power is diminished and then he goes on to criticise a statutory public officer who actually reminds Canberrans in a public debate about what this place has said is discrimination.

Let us be very clear about that Lanyon high school example. What did Dr Helen Watchirs do? She said it is unlawful to discriminate on the basis of a person's age. That is a provision of our Discrimination Act, a law made by this place. And he has the temerity to criticise the commissioner for saying what the law is. That really highlights the confused and bizarre approach we see from those opposite. It highlights their fundamental lack of understanding of how discrimination law operates, how the Human Rights Act operates, how the dialogue model operates, and it shows that they are more interested in scoring a cheap political point than actually bringing any credit to themselves and demonstrating any knowledge of how human rights and discrimination law operates in this place, let alone anywhere else in the country.

So the government stands by its support for Dr Helen Watchirs, because all she was doing was saying it is unlawful to discriminate on the basis of a person's age. And it was not Dr Watchirs's decision to say that that was the law. It was this place. This place determines that it is unlawful.

**Mr Doszpot:** Where is there a right in education, Mr Corbell?

**MR SPEAKER:** Mr Doszpot, that is really enough.

**MR CORBELL:** We now have the proposal from Mr Seselja to amend the law and, of course, that is at least a more legitimate avenue to advance his argument. Rather than criticising a public office holder who is simply doing her job and protecting the laws made by this place, he is at least proposing there should be a change to the law.

The government will explain what its position is in relation to that proposal in due course, but at least now we have got Mr Seselja focused on the fact that it is about laws made in this place that count when it comes to these matters, not how statutory office holders discharge their functions.

It is the second time this year that we have seen the Liberal Party attack public office holders of an independent statutory body. It is quite extraordinary behaviour from an opposition to publicly go after two statutory office holders from the same body who have simply been undertaking their responsibilities in accordance with the law.

In the time remaining to me, I will reflect on some of the other issues raised in the review of the first five years of operations. Obviously this reform project is a long-term project about building a culture of human rights dialogue within government agencies. Of course, the government's move to establish the right of action to hold public entities to account in the courts for their failure to abide by the provisions of the act and to act in accordance with it, I think, was a very important reform. It added teeth to the first stage of the reform, which was of course the introduction of the act itself. I note that the report makes some comments about how other agencies could be engaged in that process, and that is certainly an issue which the government will give consideration to.

There is also the issue of the extension of our rights framework to include social, cultural and economic rights, and that is a matter the government will give further consideration to in due course.

Question resolved in the affirmative.

**Sitting suspended from 12.27 to 2 pm.**

### **Questions without notice**

#### **Bimberi Youth Justice Centre—security protocols**

**MR SESELJA:** My question is to the Minister for Children and Young People. On Friday, 25 February the woodworking trainer at Bimberi Youth Justice Centre, engaged under contract from Caloola, was told by his supervisors that he would no longer be training Bimberi detainees in woodwork. In a meeting on Tuesday it was alleged that he had breached a number of security protocols. The trainer claims that he received no counselling or warnings in relation to these alleged breaches. The trainer says that he had no induction training, including on OHS and security protocols; that in the six weeks he was at Bimberi he was not asked for any identification evidence; and that he was not aware of any police check being carried out. He was not issued with a personal duress alarm until the week before he was terminated.

Minister what were the breaches of security alleged to have been committed by this worker and why was he not counselled or warned in relation to those breaches?

**MS BURCH:** I thank the member for the question. I have been contacted by that worker today. There has been an email into my office. I have asked the department for a full briefing on that. There are some matters that need to be responded to, so I look forward to having a full and comprehensive brief from the department on that.

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

**MR SESELJA:** Minister, is it not the case that the only feedback that this woodwork

teacher ever received about his performance was from your colleague Andrew Barr who, in an email to the teacher on 4 December 2010, said:

I have been advised of the excellent work you are doing at the Centre with the students and I appreciate your commitment to ensuring these young people develop skills that will contribute to a successful return to the community.

**MS BURCH:** Yes, I am indeed aware that my colleague Minister Barr did send on that letter but, as I have said to Mr Seselja, there are some questions I need answered and that is what I have asked for.

**MRS DUNNE:** Supplementary question, Mr Speaker?

**MR SPEAKER:** Yes, Mrs Dunne.

**MRS DUNNE:** Minister, why was this trainer never asked to produce any identification evidence before commencing duties at Bimberi and why did he never receive any induction training, particularly on OH&S and security protocols?

**MS BURCH:** I will take that on notice, thank you, Mr Speaker.

**MRS DUNNE:** A supplementary question, Mr Speaker?

**MR SPEAKER:** Yes, Mrs Dunne.

**MRS DUNNE:** Minister, why did it take more than six weeks of attendance at Bimberi before this worker was issued with a personal duress alarm?

**MS BURCH:** I will take that on notice, Mr Speaker.

### Children and young people—LYNX program

**MS HUNTER:** My question is to the Minister for Community Services. Minister, are you concerned that the LYNX program that has operated successfully for six years here in Canberra providing teen peer support and early intervention services, particularly around suicide, does not meet the new YSP and FSP framework definition for funding?

**MS BURCH:** The LYNX program has provided valued support to our community over the last number of years but as we have discussed here over a number of weeks now, the youth and family support program, which is out for tender—I think the tender closes at the end of this week or thereabouts—has been a discussion with the community over many, many months indeed.

The alignment of the program still focuses on families, children and young people at risk. So the inherent nature of the benefits of the LYNX program will be captured in the new aligned youth and family support program.

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

**MS HUNTER:** Minister, in the absence of this important team peer support and early intervention program around suicide, what ACT government services are going to be in place to provide this important service that will now be absent?

**MS BURCH:** I thank the member for her question. Given that we are going through a tender process to actually secure services, I think it is a tad pre-emptive to say that those services will be naturally excluded. The youth and family support program has inherent in its nature an aim of making connections across vulnerable families, young people, youth at risk—the sector that I have been speaking to.

Many of the community providers who are active in tender writing at the moment recognise the value of reform across the sector. They have said that, whilst challenging, they have welcomed the opportunity to strengthen their partnerships across the sector to respond in a more focused way to community needs.

**MS BRESNAN:** A supplementary question, Mr Speaker?

**MR SPEAKER:** Yes, Ms Bresnan.

**MS BRESNAN:** Minister, why has the government taken the view that, in spite of at least two assurances in this place that there will be no funding cuts to these services, such a vital service as youth suicide prevention will no longer be funded and that this program does not fit within the funding guidelines.

**MS BURCH:** As I have also said here on a number of occasions, the quantum that the youth and family support program has remains. There is no reduction of dollars out of the two programs. The program is being tendered at the moment, and the sector is responding. As I have just said, I have had a number of conversations with providers just this week alone, and they have welcomed the opportunity to strengthen their partnerships and to rethink their service delivery alignments. They are looking forward to the opportunities in the new funding arrangements.

### **Bimberi Youth Justice Centre—security protocols**

**MR COE:** My question is to the Minister for Children and Young People. Minister, in a question earlier today it was revealed that the woodworking trainer at Bimberi was told that he would no longer be working at Bimberi due to a number of alleged breaches of security protocols. It has also been revealed that this teacher was highly regarded, so much so that he received a commendation from your colleague the Minister for Education. Minister, how do you explain this sudden fall from grace?

**MS BURCH:** I noted earlier that I had received correspondence and I had sought some responses to the issues raised in that. So I did not confirm anything with staff.

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

**MR COE:** Minister, does this victimisation of a witness to the inquiry undermine all the government's commitments to witness protection, and potential victimisation?

**MS BURCH:** I deny that outright. This is not victimisation because someone goes to the commissioner. We know the views of those opposite in regard to this inquiry, we know the views of those opposite in regard to the commissioner for children and young people, and I reject outright that this is victimisation of someone who has gone through that process.

**MRS DUNNE:** A supplementary, Mr Speaker?

**MR SPEAKER:** Yes, Mrs Dunne.

**MRS DUNNE:** Minister, this same woodwork worker made a submission to the youth justice inquiry just two weeks before he was dismissed. Is there any correlation between these two events?

**MS BURCH:** It is not for me to suggest a correlation, and I think it is very pre-emptive for you to suggest a correlation. I was not aware of the time lines of him making a submission. Those submissions are made in confidence to the commissioner.

**MR SPEAKER:** A supplementary, Mr Hargreaves.

**MR HARGREAVES:** My supplementary to the minister is: is it true that the first you knew of this particular matter was when it was brought to your attention only recently and is it also true that you have not received a comprehensive briefing as yet?

**MS BURCH:** I thank Mr Hargreaves for his question. As I have responded to Mr Coe, there was an email in my office this morning, which I have asked the department to respond to. There were a number of matters raised that need an explanation, that need a response, that need clarity. And this is what I am asking the department to do.

I have met the individual that has raised the concern. As I have stated, Mr Barr has written to him. But these are matters that need to be investigated, and that is what I have asked the department to do.

### **Planning—territory plan**

**MS LE COUTEUR:** My question is to the Minister for Planning and concerns technical amendments to the territory plan. Minister, in answer to a question on notice about increasing dwelling numbers in approved concept plans, you stated that in the case of concept plans not in a rules and criteria format:

... any departure in dwelling numbers compared to that indicated will be considered against the provisions of the individual concept plan and any important planning requirements ... taking into account their previous non-statutory guideline status.

So my question is: minister, what exactly is the statutory status of the two types of concept plan—those prepared before 2008 and those after, which have stated rules and criteria?

**MR BARR:** Ms Le Couteur, you are picking up on a point of transition in relation to the new Planning and Development Act. In responding in detail to your question, I note I did clearly indicate—as you have just read out in fact—that there are some instances where a concept plan is not a statutory document. As such, it is open to some revision in the formalisation of the territory plan in the context of some other concept plans where that detail has been entered into and would, therefore, require a formal variation to the territory plan and the formal process that we are familiar with in this place. That was the basis of my response to your question on notice.

**MR SPEAKER:** A supplementary, Ms Le Couteur?

**MS LE COUTEUR:** Yes, Mr Speaker. Can I first comment that the minister did not answer the question: what is the status of the two types of concept plan, those before 2008 and those after? My supplementary question is: how can a concept plan be changed without a technical amendment and can you answer with respect to both those prepared before 2008 and those which have stated rules and criteria?

**MR BARR:** There are transition arrangements within the Planning and Development Act in relation to older concept plans and newer ones. The process within the Planning and Land Authority changed as a result of the new Planning and Development Act. Members who were here during that extensive debate would be aware of the changes that have occurred as a result of the new Planning and Development Act.

Yes, Ms Le Couteur, there is freedom, without the requirement of a territory plan variation or a technical amendment, in the context of considering a development application on an estate development plan for there to be a difference between a concept plan and the more detailed estate development plan. That is not uncommon, particularly in relation to the transition from an old and previous planning system to the new one that was enacted with the Planning and Development Act.

**MS BRESNAN:** Supplementary?

**MR SPEAKER:** Yes, Ms Bresnan.

**MS BRESNAN:** Thank you, Mr Speaker. Minister, if no technical amendment to a concept plan is put forward, how can a development application or estate development plan be approved when it does not adhere to the concept plan?

**MR BARR:** As long as it is consistent with the Planning and Development Act, it can be approved.

**MS HUNTER:** A supplementary?

**MR SPEAKER:** Yes, Ms Hunter.

**MS HUNTER:** Minister, have you now further considered other possible changes to the legislation and processes around technical amendments, as you discussed in November last year?



**MR BARR:** Indeed, and I will be bringing forward, as I think should be a routine process each year in the Assembly, a slab bill that will deal with minor and technical amendments to the Planning and Development Act. I think the Chief Minister foreshadowed such a bill in the statement on the government's legislation program for this session.

### **Bimberi Youth Justice Centre—detainees**

**MRS DUNNE:** My question is to the Minister for Children and Young People. Minister, have there been any occasions in 2011 in which detainees at Bimberi Youth Justice Centre have escaped onto the roof of the facility? If so, on how many occasions, when did they occur and how many detainees were involved?

**MS BURCH:** I am aware of a number of occasions. I am aware of two occasions when youth accessed the roof line. This is something that I thought was rectified. I thought we had put some rectifications into a known area where before there was an access point. It seems that the youth have used other means and methods and access points. I have asked the department to do a feasibility study on securing all roof lines out at Bimberi.

**MRS DUNNE:** Supplementary question, Mr Speaker?

**MR SPEAKER:** Yes, Mrs Dunne.

**MRS DUNNE:** Minister, we were told in estimates hearings in 2010 that energised security wiring would be installed to prevent access by detainees to the roof. Has this wiring been installed and, if so, why is it ineffectual?

**MS BURCH:** The energised wiring has been installed to a particular point in the roof where it was a known and used access point. The most recent access points were a different site, which is why I have asked the department to look at the feasibility of securing all roofline areas.

**MR SMYTH:** A supplementary, Mr Speaker?

**MR SPEAKER:** Yes, Mr Smyth.

**MR SMYTH:** Minister, what other changes have you made to security at Bimberi in general to prevent detainees gaining access to prohibited areas, including roofs and other areas within the facility?

**MS BURCH:** There have been a number of measures in regard to the incident in early February which I am still waiting for the finalised reports about. We have made rectifications to known weak points in the areas, as we have also in regard to the roof lines. In the most recent access to the roof, the young person was under escort of two guards, two youth workers, and the incident still occurred. There are some unfortunate matters that will always occur perhaps in an environment such as that. But as far as the roof goes, that is why I have asked, as I keep on saying, for a full feasibility study to secure the whole, entire, roof line.

**MR SMYTH:** A supplementary, Mr Speaker?

**MR SPEAKER:** Yes, Mr Smyth.

**MR SMYTH:** Minister, how much was spent on the ineffectual energised security wire and other security measures?

**MS BURCH:** I will take that on advice, thank you, Mr Smyth.

### **Housing—Allawah, Bega and Currong flats**

**MS BRESNAN:** My question is to the Minister for Housing and concerns the redevelopment of the Allawah, Bega and Currong flats. Minister, you have previously said that 135 of the 1,350 units to be developed will be public housing, which is in contrast to the around 400 public housing dwellings located there in the past. Given increasing problems with housing affordability and homelessness in Canberra, what steps are you taking to make the remaining 1,215 units affordable and what is your definition of affordable?

**MS BURCH:** I am pleased to say that we are continuing to receive positive feedback on the redevelopment of the Currong, Allawah and Bega units from tenants and broader community members in the area alike. I am going through the final steps of a territory variation to move on that but there are some matters about the total quantum of units to be there that are still to be determined. We need to have a decision about the heritage listing of the church. That will impact on the total yield on the site and then the design and other matters—the built form—will also impact on the total numbers that are there.

I just make mention that this government continues to invest in social housing not only on this site but across the ACT. By June of this year I think we will be close to 12,000 properties under our portfolio, which is a continued and ongoing increase in access to social housing. The older persons units at 297, with the older people moving out of oversized properties, have certainly made a significant improvement in opportunities for larger families to access larger properties.

**MR SPEAKER:** Ms Bresnan, a supplementary?

**MS BRESNAN:** Thank you, Mr Speaker. Minister, is it not true that low income people in the private rental market face the highest levels of housing stress? How will the ABC redevelopment alleviate this situation and—again, in regard to my first question—make the other units in that development affordable?

**MS BURCH:** It has always been the intention for the site there to be a mixed tenancy model, so to have public housing, social housing, affordable housing, plus private ownership there. Again, the built form and the determination of those numbers is yet to be decided. We also have the tenancy sustainable program where we work with people in home ownership and rental to help them support their tenancies. A number of the regional services have come together in partnership to run that program so that they are actually supported in those housing stresses, whether they are in rent or mortgage stresses.

**MS LE COUTEUR:** A supplementary question, Mr Speaker?

**MR SPEAKER:** Yes, Ms Le Couteur.

**MS LE COUTEUR:** Minister, how much profit or surplus does the ACT government expect to make through the ABC redevelopment, and where will those funds go?

**MS BURCH:** Well, all funds secured through that redevelopment would be reinvested in social housing.

**MS HUNTER:** A supplementary, Mr Speaker?

**MR SPEAKER:** Yes, Ms Hunter.

**MS HUNTER:** Minister, how many public housing tenants are currently located at the site, and how many have expressly said that they are willing to move elsewhere?

**MS BURCH:** From my understanding, there are about 130 tenants in the sites there. Currong is housing students at the moment, and we manage that as student accommodation predominantly. I do not know the numbers explicitly about who is choosing to move and who is choosing to stay, but that is part of the ongoing conversation that DHCS and Housing ACT have with those tenants. If they have an interest in staying, they will certainly be supported in staying and arrangements will be in place over that transition period.

Those sites—that block will take a number of years to transition from what it is now into what it could be, so this is not something that will happen over the months. Those that are showing an interest in moving on, taking this as an opportunity to move to other accommodations, will be supported. For those that are expressing that interest now, DHCS and Housing ACT will be working with them to relocate them as they wish and as we find appropriate suitable property.

### **Alexander Maconochie Centre—drugs**

**MR HANSON:** My question is to the Minister for Health. Minister, yesterday in regard to missing drugs at the prison you said:

I had a conversation with my chief executive this morning about some concerns that a staff member has raised and they are being investigated.

Minister, what exactly are the concerns that have been raised and when exactly was the department or your office first made aware of these concerns?

**MS GALLAGHER:** Certainly I do not want to confirm that there are missing drugs at the AMC and I do not think my answer yesterday did that.

*Opposition members interjecting—*

**MS GALLAGHER:** It was just in the introduction to Mr Hanson's speech. A staff member raised some concerns on Tuesday. I have had a conversation on Wednesday with my chief executive. Those matters are under active consideration. It is not at a point where I can discuss them any further.

**MR SPEAKER:** Mr Hanson, a supplementary question.

**MR HANSON:** Minister, who is conducting the investigation, and when will it be completed?

**MS GALLAGHER:** As I said, a number of concerns have been raised, and appropriate action will be taken. I am not in a position to explain any further. I think if I did, I potentially would be putting in jeopardy any investigations that were to be held.

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

**MR SESELJA:** Thank you, Mr Speaker. Minister, will the results of the investigation be tabled in the Assembly and, if not, why not?

**MS GALLAGHER:** I do not think I am at a point where I can answer that at this stage. Some concerns have been raised. They are under active investigation. If there becomes a time when it is appropriate for me to elaborate further, I will.

#### **Minister for Health—statements**

**MR DOSZPOT:** My question is to the Minister for Health. Minister, on 8 March you stated to the Assembly:

... I will never, ever, ever tell a lie ...

Minister, how do you reconcile the statement you made in relation to plans for Calvary hospital in the lead-up to the 2008 election that "Governments need to govern and leaders need to lead. Governments must also put their plans on the table. We have put our plans on the table," with subsequent revelations which show they were not on the table?

**MS GALLAGHER:** Well, the plans were on the table. The plans by the government which we took to the 2008 election were for a significant rebuild of our hospital system. We have two hospitals in the ACT.

*Opposition members interjecting—*

**MS GALLAGHER:** We were very clear that there would be a very significant rebuild of those facilities. Indeed, we outlined—

**Mr Hanson:** It was a lie.

**MR SPEAKER:** One moment, Ms Gallagher. Two things: first of all, I can barely hear the minister's answer, and I am not sitting very far away. Secondly, Mr Hanson, I invite you to withdraw the assertion that it was a lie.

**Mr Hanson:** I withdraw.

**MR SPEAKER:** Minister.

**MS GALLAGHER:** Thank you, Mr Speaker.

**Mr Stanhope:** In the gutter again.

**MR SPEAKER:** One moment. Mr Stanhope, I would invite you to withdraw that, Mr Stanhope. You are aware it is unparliamentary language.

**Mr Stanhope:** I withdraw, but it really is—

**MR SPEAKER:** No, sit down, Chief Minister.

**Mr Stanhope:** These serial accusations of lying really are over the top, Mr Speaker.

**MR SPEAKER:** Chief Minister! Thank you, sit down. Ms Gallagher, you have the floor.

**MS GALLAGHER:** Thank you, Mr Speaker. I think our health election commitments outlined the very significant investments that we would like to make in relation to building our hospital system, and I think our preference for an efficient, effective, streamlined hospital system—

*Opposition members interjecting—*

**MR SPEAKER:** Order!

**MS GALLAGHER:** Thank you, Mr Speaker, All of that is detailed in a very extensive health policy that we took to the election—

*Members interjecting—*

**MR SPEAKER:** Order! Ms Gallagher, one moment, please. Stop the clock, thank you. Members, it is not acceptable for two or three members to be interjecting across the chamber drowning out the minister at the same time. Ms Gallagher.

**MS GALLAGHER:** Thank you, Mr Speaker. I seem to have that effect on those opposite. I note that, from my recollection, Mr Hanson has been on a warning almost every sitting day of this year for his unparliamentary behaviour.

Our commitments around health were very clear. In fact, they were much more comprehensive than those of the opposition who, unfortunately, did not understand that health growth and health funding actually compounded through the budget year and so actually did not make any commitments to cover the expansion of hospital

services in the ACT through their own election commitments.

**Mr Seselja:** Are you again not telling the truth? You've got to tell the truth, Katy.

**MS GALLAGHER:** I think if you go back and read our health policy—

**Mr Stanhope:** On a point of order, Mr Speaker, twice now in the course of this answer the Leader of the Opposition and the shadow minister for health have accused the Minister for Health of lying. Now, you must reach a point, Mr Speaker, when your responsibilities in this chamber are actually to deal with these repeat and serial accusations that the minister is a liar. Mr Seselja has just repeated an accusation now just made by Mr Hanson, and it is time that this unacceptable, bullying and unparliamentary behaviour by Mr Seselja and Mr Hanson was dealt with in a conclusive way.

**MR SPEAKER:** There is no point of order.

**Mr Seselja:** In response to the point of order—

**MR SPEAKER:** There is no point of order, Mr Seselja. My ruling that there is no point of order does not condone the behaviour that is going across the chamber, but I will manage it as the Speaker. Ms Gallagher, you have the floor.

**MS GALLAGHER:** Thank you. Just in conclusion, I expect that our commitments on health that we outlined in 2008 will be delivered in their entirety, and I am sure that in 2012 the people of Canberra will measure us upon those commitments.

**MR SPEAKER:** Mr Doszpot, a supplementary question.

**MR DOSZPOT:** Minister, how do you reconcile statements made by you in February 2010 that no complaints regarding bullying in the obstetrics department at Canberra Hospital had been received when it was subsequently revealed that complaints had been received?

**MS GALLAGHER:** At the time I made those comments, that was the advice that I had.

**MR HANSON:** A supplementary, Mr Speaker.

**MR SPEAKER:** Yes, Mr Hanson.

**MR HANSON:** Minister, how do you reconcile statements made by you in 2004 that there would be no school closures with the subsequent decision to close 23 schools in the ACT?

**MS GALLAGHER:** I think I went through this line of questioning for the entire previous Assembly of 2004 to 2008. I have been judged by the community on what I did and said as minister for education. Indeed, I would ask that Mr Hanson draw the Assembly's attention to where I made the comments that he just alleged I made.

**Mr Doszpot:** Did you dispute the comments at all?

**MS GALLAGHER:** Yes, I did, Mr Doszpot.

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

**MR HANSON:** Minister, would you table for the Assembly any document relating to the purchase of Calvary hospital which was released to the electorate prior to the election of 2008 despite the fact that you had a draft heads of agreement that you were trying to have signed with Calvary hospital?

**MS GALLAGHER:** Talk about rewriting history! I was not attempting to have rushed through a heads of agreement. LCM at the time requested that a heads of agreement be signed so that discussions could continue through caretaker. At the end of the day the work had not proceeded to the point where that occurred, Mr Hanson. But, as I said, and I think if you asked the chair of LCM at the time he will back me up on this, they had requested that discussions, because they were in their early stage, remain confidential. The government's commitment to the community was very clear: we wanted to build a hospital system that will serve the needs of this community into the future. We put the money into it and we put the work into it. Those commitments are very clear. You can scrabble around and try and trip me up on this, Mr Hanson—but you won't find anything.

### **Housing—affordability**

**MR SMYTH:** Mr Speaker, my question is to the Chief Minister. I refer to the front page article in the *Canberra Times* today entitled “Battlers shut out of house market”. The article highlights the increasing difficulty for police officers, teachers, nurses, firefighters and ambulance officers to buy a home in Canberra. This comes on the back of the consistent findings of the HIA-Commonwealth Bank report which ranks the ACT near the bottom of first homebuyer affordability. In the article you, as you have done previously, arrogantly dismiss the concerns and claim that Canberra is affordable.

Chief Minister, given that it is your policies which have made it so hard for workers such as police, firies, nurses, teachers and ambulance officers to buy a home, will you now apologise to these and other Canberrans for your massive policy failure?

**MR STANHOPE:** I thank Mr Smyth for the question. It does give me an opportunity to explain some of the methodology within the Bankwest report. The fact is, of course, that the Bankwest report applies to all of Australia and the comments that were made in relation to Canberra were made in relation to every other city in Australia bar Hobart, from memory.

**Mr Smyth:** So you are as bad as everybody else.

**MR STANHOPE:** No. What it does is represent a significant issue for the whole of Australia. Indeed, in relation to this particular issue—

*Mr Smyth interjecting—*

**MR SPEAKER:** Mr Smyth, you have asked your question.

**MR STANHOPE:** the ACT is essentially in no different position from other capital cities in Australia or other cities in Australia. Indeed, Bankwest actually conclude, in the report to which Mr Smyth refers, that the situation in the ACT is far better than it is in both Sydney and Melbourne. It is a national problem.

We do not deny at all that it is a significant issue. It is important, though, to go to the methodology that Bankwest employed in their particular analysis of affordability, just as it is in relation to the Commonwealth Bank and HIA. Indeed, Bankwest are talking about the individual with a single salary—a group of very important workers. They are looking not at household disposable income or gross income of a household but at an individual. They make their analysis on that basis.

The ACT government is proud of our record of achievements in relation to these particular issues. Indeed, we have some of the most advanced policies in Australia in relation to affordability. We have intervened in a way that no other jurisdiction, government or council in Australia has, most particularly through mandating now that 20 per cent of all housing within the ACT will be delivered for under \$328,000. Just to give members an example of the import or implication of that, in this particular year we are releasing 5,000 units for housing, 1,000 of which will be delivered to the market for under \$328,000.

It is important, too, to note the true nature of the market, and analyses such as those delivered by Bankwest and, most particularly, the Commonwealth and HIA do not account for the fact that since October 2008—indeed, since the last election—10,400 building sites have been released in the ACT in the real estate market generally. And of course, of those 10,400, 15 per cent initially, and now 20 per cent, must be delivered for under \$328,000. In the real estate market generally across the board, since October 2008, 4,763 homes in the ACT have been valued and sold at under \$400,000. Of the 4,763 homes that have changed hands, been purchased or built in the last two years, 2,024 were sold for under \$328,000 and 894 were sold for under \$300,000.

That gives some indication of that other aspect of the market—the extent to which we have, through our policies, sought to cope with first homebuyers and those that wish to enter the market as first homebuyers. Over and above that, of course, we also have land rent—a nation-leading—

**Mr Smyth:** What did the Auditor-General think of land rent?

**MR SPEAKER:** Order! One moment, Chief Minister. Sorry to interrupt you. Stop the clocks, thank you. Mr Smyth, you are now warned for repeated interjection.

**MR STANHOPE:** Land rent, a nation-leading initiative, which has delivered 750 contracts in relation to land rent, hopefully will see people being able to build their own home for a mortgage of around \$200,000. CHC affordable housing is well on the way. They have in the pipeline, I think, somewhere in the order of their 600th home for sale or rental in a 1,000 housing unit contract that they made with the government.



*(Time expired.)*

**MR SPEAKER:** Mr Smyth, do you have a supplementary?

**MR SMYTH:** I do, Mr Speaker. Chief Minister, why did your government introduce arrangements in land and planning that at best are hindering, if not actively obstructing, the achievements of the government's priorities?

**MR STANHOPE:** There is always room for improvement. We acknowledge and we recognise that. It was, of course, one of the reasons why the Hawke review was commissioned—to ensure that we do have the capacity to meet the enormous demand that has been generated in the ACT for housing as a result of the current success of the ACT economy.

Underlying, of course, this enormous demand and the pressure that is on affordability of housing in the ACT is the fact that the ACT currently enjoys the strongest economy in Australia, something that we have not enjoyed for decades. We have over the last 18 months had the strongest growing economy in Australia with above national average population growth—

*Mr Seselja interjecting—*

**MR SPEAKER:** Mr Seselja!

**MR STANHOPE:** highest state final demand, lowest unemployment, highest participation rate—

*Mr Seselja interjecting—*

**MR SPEAKER:** Mr Seselja, you are now warned for interjecting as well.

**MR STANHOPE:** highest level of overseas migration into the territory on a pro rata basis. These are some of the indicators of the strength of this economy: lowest unemployment by far, highest state final demand, highest levels of growth, highest retail trade, highest participation rate, highest housing finances in the nation, highest housing starts in the nation, highest levels of overseas migration on a pro rata basis into the jurisdiction. This is driving demand enormously.

It is a question of supply and demand. Demand has never been stronger as a result of the strength and success of this economy. So one of the instances of that success—the strength of this economy—is, of course, the unprecedented levels of demand for housing. Our population growth is higher than it has been for over 20 years. Our housing levels and starts are higher than they have ever been. Construction in the ACT is higher than it has ever been. We in this last year exceeded our previous highest ever record year in relation to construction activity. That was the year, of course, that the new parliament house was constructed.

We have an enormously strong economy. We are releasing 5,000 units of housing over this year, 17,000 over the next four years and we are doing everything in our power to meet the demand that our economy is driving. *(Time expired.)*

**MR SPEAKER:** Mr Seselja, a supplementary question.

**MR SESELJA:** Minister, how many of the 10,400 dwelling sites, referred to by you in your answer, released since 2008 have now had houses built on them?

**MR STANHOPE:** I will take that question on notice. Indeed, as I was saying, the demand is enormous. I thank Mr Seselja for the question, to allow me to continue to explain just how successful this economy has been under this government.

**Mr Seselja:** You simply cannot answer the question.

**MR STANHOPE:** How would I know that? How would I carry that around in my head? I am sure the only thing that Mr Seselja can remember, or the only number he can remember, this morning is when he got out of bed, rather late.

Ten thousand four hundred have been delivered since October 2008. Five thousand will be delivered this financial year. Five thousand will be delivered in the next financial year, with a total of 17,000. These are numbers that have never before been experienced in the ACT and they are a direct result, a direct flow-on, of the success of this economy under this government. It has never been stronger.

All the indicators show the enormous strength of this economy and the fact that, as a result of that, the enormous demand and pent-up demand in relation to and for housing has to be met. We are striving as hard as we can and, across the board, we are succeeding. And it has to be said, in any discussion around this issue, with the Liberal Party out there talking the town down, talking down the fact that you cannot get a job here or if you do get a job you cannot afford to live here, over the last two years 4,763 homes under \$400,000 have been exchanged, bought or were built in the ACT as a result of this government's policies.

We are doing more than any other government in Australia in relation to affordability. We are doing more innovative things. We are pursuing land rent. We are pursuing or mandating that 20 per cent of all housing will be delivered for under \$328,000 on land sold by the ACT. We are encouraging, through CHC, affordable housing and the completion of a whole range of—(*Time expired.*)

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

**MR SESELJA:** Thank you, Mr Speaker. Minister, what does the HIA-Commonwealth Bank survey say about housing affordability in the ACT? Are there other surveys which focus exclusively on the affordability equation for first home buyers and, if so, what do they say?

**MR STANHOPE:** I thank Mr Seselja. There are other surveys. Indeed, there was a major national survey released in the last month of relative prices and affordability across six nations around the world. It quite interestingly compares housing in Australia across the board with housing in the United States, New Zealand—

*Opposition members interjecting—*

**MR STANHOPE:** I was asked about a survey in relation to affordability in Australia. A major survey—

*Mr Hanson interjecting—*

**MR SPEAKER:** Order! Mr Hanson, you are warned for interjecting.

**Mr Seselja:** On a point of order, Mr Speaker—

**MR SPEAKER:** One moment, Chief Minister. Stop the clocks, thank you.

**Mr Seselja:** It is on relevance. Perhaps to help the Chief Minister, because he may not have heard my question properly, the question was around surveys which focused on first home buyer affordability—the HIA-Commonwealth Bank being one and whether there are any others—and what they say.

**MR SPEAKER:** Chief Minister, if you could focus on the specific question.

**MR STANHOPE:** I am coming to other surveys that I am aware of. Indeed, there is the Commonwealth Bank-HIA. There is the Real Estate institute of Australia. There is a most recent and very interesting survey that compares housing affordability across six nations, including as between all of the cities in Australia—not just the capital cities. It is a very interesting survey that compares affordability in, I think, 40 cities within Australia.

It compares—this is the first time I have ever seen the comparison and it is very interesting—Canberra, for instance, with Wagga, Alice Springs and Mackay. Interestingly, it determines—and this is a national survey—that the ACT is the 11th most affordable city in Australia, in a listing, I think, of around 40 cities. I will get the full list for members. They will be intrigued to discover that the ACT, Canberra, is more affordable than Wagga, Alice Springs or Mackay. It is more affordable than all the capital cities in Australia, except, I think Hobart.

So there are other very reputable surveys in relation to housing affordability. Most particularly, you will see that the Real Estate Institute of Australia in their regular surveys show repeatedly and always that the ACT is the most affordable in Australia.

**Mrs Dunne:** On a point of order, Mr Speaker, standing order 118(a) requires the minister to be directly relevant to the question. The question was about first home buyers. The minister is not addressing the question of first home buyers.

**MR SPEAKER:** Mrs Dunne, there is not a point of order at this stage. I think the question was broadly about housing affordability.

**Mrs Dunne:** On the point of order, Mr Speaker, the question was about surveys of first home buyer affordability.

*Mr Doszpot interjecting—*

**MR SPEAKER:** Yes, and the Chief Minister is talking about housing affordability.

*Mr Doszpot interjecting—*

**MR SPEAKER:** I think it would useful, Chief Minister, if you could address Mr Seselja's specific point.

**MR STANHOPE:** I can, but the difficulty is, of course, that the Commonwealth Bank-HIA does not address just first buyer affordability either. He says, "Are there any others like the Commonwealth Bank?" So his question is based on a false premise, because he has no understanding of the issue of housing affordability, or indeed anything else.

### **Self-government**

**MR HARGREAVES:** Can the Chief Minister update the Assembly on the government's submission to the Senate legal and constitutional affairs committee's inquiry into the Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2010?

**MR STANHOPE:** I thank Mr Hargreaves for his question on a most important subject, most particularly the rights and the democratic rights of the people of the ACT and the importance of all in representing the people of the ACT, to support and advocate for and defend the rights of the people that they represent—or, in the case of the Liberal Party in this place, that they pretend to represent.

It is relevant that I inform, advise, members today that the ACT government, with a lack of agreement from the Liberal Party to a non-partisan position on this, has lodged a submission on behalf of the government without, unfortunately, the support of the Liberal Party. So it is important that I advise members of the position that the ACT government has put to the committee inquiry into Senator Bob Brown's bill to delete section 35 from the ACT self-government act. Members would not be surprised to know that the ACT government's submission raises this as an issue of fundamental principle—

*Mr Doszpot interjecting—*

**MR STANHOPE:** a principle that goes to democratic rights and the rights of the people of the ACT to be treated equally and on a par with other Australians. I continue to find it remarkable, following the debate this week, that the Liberal Party are not prepared to support that position, and indeed to date the Liberal Party have not espoused a position at all on the issue of their commitment to defending the rights of the people that they represent.

The ACT government—and I know this is a view shared by the ACT Greens—have made an unambiguous claim and submission to the committee that section 35 does infringe the rights of the people of the ACT; that it does treat, on any analysis or any comparison, the rights of the people of the ACT as secondary when and as compared to the rights of the states having regard to our constitutional arrangements.

*Mr Doszpot interjecting—*

*Opposition members interjecting—*

**MR SPEAKER:** Order, members!

**MR STANHOPE:** It simply is not appropriate—and the submission goes to this—that there is in place an anachronistic provision within our constitution that allows—

*Mr Doszpot interjecting—*

**MR STANHOPE:** a minister of another parliament that does not represent this place, in the exercising of a fiat, an executive fiat or discretion, to overturn legislation made through a democratic process by this Assembly for and on behalf of the people that elect them to represent them.

We make that submission, we make it unambiguously and unapologetically and we do not believe that any fair-minded person, any person committed to democracy or equality—

*Mr Doszpot interjecting—*

**MR SPEAKER:** Mr Doszpot, that is enough.

**MR STANHOPE:** could possibly argue with or gainsay that very basic principle.

*Mr Doszpot interjecting—*

**MR SPEAKER:** Mr Doszpot, you are now warned.

**MR STANHOPE:** The government does take the opportunity—

**MR SPEAKER:** Order! One moment, Chief Minister. Stop the clocks, thank you. Mr Doszpot, I have asked you a number of times, both before lunch and now, not to interject. You are now warned for repeated interjecting.

**MR STANHOPE:** Thank you, Mr Speaker.

## **Dissent from ruling**

**Mrs Dunne:** Mr Speaker, I could barely hear what Mr—

**MR SPEAKER:** Is there a point of order, Mrs Dunne? Is there a point of order?

**Mrs Dunne:** I want to challenge your ruling, Mr Speaker. Did you make a ruling there?

**MR SPEAKER:** Yes. I asked Mr Doszpot to stop interjecting.

**MRS DUNNE** (Ginninderra) (2.46): In that case, Mr Speaker, I move dissent from

your ruling.

**MR SPEAKER:** Mrs Dunne, I believe you need leave to do that. Is leave granted to Mrs Dunne?

Leave granted.

**MRS DUNNE:** I move:

That the Speaker's ruling be dissented from.

Mr Speaker, there has been a constant pattern of your behaviour in this chamber this week which has shown a partisan attitude towards the members of the Liberal opposition. Mr Doszpot is probably the most mild-mannered and quietest man in this chamber. I could not hear Mr Doszpot, and I sit much closer than you. I could not hear what he said. I do not believe that Mr Doszpot's intervention on this occasion was in any way disruptive, unparliamentary or any of the things that you might like to throw at the opposition.

We have spoken privately, and I have raised matters on the way that you handle yourself in here in relation to the members of the opposition on a number of occasions. Really, quite frankly, Mr Speaker, I am not prepared to tolerate it any longer. I move dissent in your ruling today because you have just gone too far this time. You have picked on Mr Doszpot, who is a quiet member of the Assembly, who does not interject, who said something so sotto voce that I could not hear it here. It was hard to tell whether it was a comment to another colleague or an interjection.

It just goes to show that you are so trigger happy to come down on the Liberal opposition at every opportunity that you would pick on Mr Doszpot. You have gone through the situation today that you have warned Mr Smyth, and you warned Mr Seselja. I did not even hear Mr Seselja speak, and you had warned him.

This has been a fairly constant pattern throughout this sitting period. I discussed it with you in private yesterday and I am no longer prepared to just discuss it with you in private. I think the way that you behave in relation to the members of the opposition is quite different from the way that you behave in relation to the members of the government and your own members. And it is quite different from the way that you yourself disport yourself when you are not in the chair. It is time that you showed some consistency in your rulings and showed that you were a fair-minded Speaker.

Your actions this week have not demonstrated you being a fair-minded Speaker. There were instances during the week, and I brought this to your attention yesterday. Mr Stanhope moved a motion in relation to self-government, on the Brown bill, the other day. The members of the opposition heard him in silence. The moment that Mr Seselja rose to his feet, Mr Stanhope started interjecting and heckling. You did nothing about it for some time, until Mr Stanhope got sick of interjecting and heckling and went elsewhere and conducted a loud conversation. And it was not about the interjecting and heckling; it was the loud conversation. You have a different set of rules for the Liberal Party and everybody else in this chamber.

From time to time when I bring this matter to your attention or other members of the opposition bring these matters to your attention, there is a bit of a buck-up. You did actually chip the Chief Minister today for using unparliamentary language. It was the second time this week he had used the same unparliamentary language. I had already asked him to withdraw those same words earlier in the week. But there is never a warning. There is never a warning for the members on the other side. And you run to warnings at the first opportunity.

And you yourself, when you are not in the chair, behave in a way which is not becoming. The words that you used earlier this week in relation to Mr Smyth—which you only begrudgingly withdrew when you were forced to do so, when it was embarrassing because you would have a conflict of interest in having to review your own words and asking yourself to withdraw your words—show that you are partisan and you do not treat the position of Speaker appropriately.

The Liberal opposition now put it forward fair and square. We no longer have confidence in your rulings. We believe that you make partisan rulings in relation to the Canberra Liberals and that it is now time to call an end to it. That is why I am today moving dissent in your ruling. It is not something we do lightly. There has been a lot of latitude given to someone who is a new Speaker, a new member who is inexperienced with the standing orders and had himself thrust into the position of speakership. It is not something that, as a longstanding member and a longstanding manager of opposition business, I do lightly.

Over the past two years, I have spent a fair amount of time in discussion with you about the management of this house and the things that I think are inappropriate. I have drawn them to your attention. Sometimes they are taken up; sometimes they are not. But I think that the treatment meted out to the members of the opposition this week is unacceptable. I think that I may be the only person who has not been warned this week.

**Mr Stanhope:** Well, there is plenty of time left.

**MR SPEAKER:** Mr Stanhope!

**MRS DUNNE:** It goes to show how little regard the Labor Party has for the seriousness of what is happening that Mr Stanhope would joke about these things.

**Mr Stanhope:** Well, what a load of nonsense.

**MR SPEAKER:** Mr Stanhope, don't interject.

**MRS DUNNE:** This is, unfortunately, something that is extraordinarily serious. When we move dissent in your ruling, we are saying that we no longer have confidence in the Speaker. That is something that you have brought us to by continued and repetitive partisan behaviour in the chair and elsewhere.

The thing is that you have conflicted the role of being the Speaker of this place with that of being a political member of this place. You vacate the chair and you come down and give out as good as anybody else—probably worse than anybody else—in

this chamber on a fairly regular basis. You get into the gutter in the way that you did this week, and then you expect people to take you seriously when you sit in there. And when Mr Doszpot says almost nothing—and whatever was said was just about inaudible—you expect us to take you seriously.

You make the sorts of comments that you made to Mr Smyth during the week in the rough and tumble of debate and then you come there and single out Mr Doszpot for a warning; it shows that you do not understand the gravity of the seat and the position that you occupy.

This is a terrible impasse, a terrible situation to come to; but it is one that is necessary because of the partisan way in which you behave. This Assembly and my colleagues in this Assembly no longer have confidence in you conducting yourself appropriately, and your behaviour here today demonstrates that. It is with regret that we have to do this, but it is something that we have to do to get the way that this place is administered back on the tracks. I commend the motion to the Assembly.

**MR CORBELL** (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (2.54): Mr Speaker, there is no credence in the arguments made by Mrs Dunne in her motion of dissent today—no credence whatsoever. In all of the argument we heard from Mrs Dunne, there was not a single reflection on the Liberal opposition's behaviour this week or on their behaviour over the last few sitting weeks. It was almost as though it was not their fault that they were drawing your attention to them. They did not seem to have any cognition that perhaps it was their behaviour that was requiring your intervention. It really does highlight, Mr Speaker, the deluded world in which they are operating where they believe that you are acting in some partisan or favourable manner towards one side of the house over the other.

The government does not agree—does not agree at all—with the suggestion being made by Mrs Dunne. Mr Speaker, I would challenge any member of this place to reflect on the fact of how many times you have had to warn members of the opposition not just this sitting week but in the last sitting weeks for the period of this year. You have warned members of the opposition on repeated occasions—repeated occasions—of the fact that their behaviour was disorderly, and you have drawn to their attention the fact that if they continue you will have to take further action. It is to your credit, Mr Speaker, that you have not taken further action; indeed, the government would say that you have been more than lenient with those opposite in relation to those matters, in that you have chosen not to take the matter further. That is obviously a matter for you to determine.

I think it is a bit rich for those of us to claim they are getting harsh treatment when you can see someone like Mr Hanson, someone like Mr Seselja or someone like Mr Smyth warned repeatedly—warned repeatedly—on sitting days and then no further action being taken against them. If anything, Mr Speaker, I think it would be fair to say that they have been treated very favourably indeed. They should know, Mr Speaker, that warnings from you—repeated warnings from you—indicate that they are reaching the end of your tolerance when it comes to the matter of order in this place.



Mr Speaker, for that reason I do not think there can be any justification for the claim that you are treating those on the other side of chamber unfavourably or unfairly. Indeed, Mr Speaker, in relation to the instance that has caused this ill-judged motion by Mrs Dunne, your warning of Mr Doszpot, Mr Doszpot repeatedly interjected over the Chief Minister in his answer, and continued to do so after you drew his attention to the fact that he was acting in a disorderly manner. Indeed, it was only when he continued to interject after you had gently indicated to him that he was acting in a disorderly manner that you felt you had to warn him.

The chair's admonishments and the chair's directions to members in this place must be had regard to. Members cannot continue to interject or continue in their manner of behaviour after that has been brought to their attention by the chair. That is what Mr Doszpot did, and he was rightly warned for his behaviour.

Mr Speaker, the government does not support this motion today. It is unwarranted, it is ill judged and Mrs Dunne should reflect on the behaviour of herself and her colleagues before she points the finger at you.

**MS BRESNAN** (Brindabella) (2.58): I would just like to make the point that in light of the standing orders, in referring to standing orders, you have been very clear with your rulings not just this week but over the last two years in the Assembly. You have made very clear the way you would operate the rules in the Assembly. And also this week, as we know, there have been a number of warnings already given out to the members of the opposition. Mr Hargreaves also made it clear during the week and then you also made it clear that you would carry through on those orders he had put forward, again referring to the standing orders.

If we do go back to the standing orders—you have been very clear about your rulings. I do not believe there is any ambiguity in what you have put forward. We will not be dissenting from your ruling—the Greens will not be—because you have been very clear, in light of the standing orders, how you will conduct business this week. Mr Doszpot was warned. He had interjected on a number of occasions and you again were just carrying out the standing orders. I think it is very clear in that process that you have been following those directly, and that is why those warnings have been made against the members of the opposition—because there has been continual interjecting today and also throughout the week. That has been the policy which has been carried forward.

**MR HANSON** (Molonglo) (3.00): Mr Speaker, in reviewing your actions over the last few weeks, clearly there are occasions when you have warned the opposition, and you have warned me, and it has been quite correct that you did so. I think that there are occasions when I and others in the Liberal opposition have behaved in a manner that warranted the warnings; there is no question. The problem is that there are those opposite that likewise have deserved your warning and have deserved action. An example that I have noticed is the continual interjections, often when I speak, and exclamations of “grub” that come out of, in particular, the Chief Minister and Mr Corbell.

I think that it is not a matter of whether the Liberals have interjected and whether you have had on occasion to warn a number of us. The question is whether you have done that in a balanced way. I think that the comparison that we have seen today between the behaviour of both Mr Stanhope and Mr Corbell and then the behaviour of Mr Doszpot—it stands in sharp contrast. You have had some mild interjecting from Mr Doszpot that was barely audible, and you saw fit to warn him. But you have had continual—

**Mr Corbell:** It was audible here.

**MR HANSON:** And interjecting again from Mr Corbell. You have had continual interjection from Mr Corbell and Mr Stanhope with language which continually uses the word “grub” and other derogatory terms—and no warning. The point is, Mr Speaker, that you are somewhat conflicted. The point is that you came into this place yesterday and you said in relation to your behaviour—this is when you yelled out across the chamber to Mr Smyth, “Get your hand off it, Brendan.” You then had to come back into this place and make a statement under standing order 46. This is quoting you, Mr Speaker:

Earlier in the debate I was asked to withdraw ... comments I was alleged to have made—

you actually did make them; you were not just alleged to have, and if you want to deny that, that is a separate debate—

across the chamber. This situation has highlighted the challenges of being both the Speaker and an MLA in seeking to fulfil the role of Speaker and representing my constituents and the views that I hold.

The point is, Mr Speaker, that whilst you choose to sit in that seat as the Speaker but also choose to sit on the floor and engage in debate—quite ferocious debate at times—as a spokesperson from the Greens, as a political activist, as a radical, as you described yourself in your maiden speech, if you recall, Mr Speaker, you simply cannot do both. I saw yesterday a moment when you came over, leaping out of your chair, after debate, to basically poke Mr Seselja in the chest. You came over to this point here. It was unparliamentary behaviour as a Speaker. It was unparliamentary when you said, “Get your hand off it, Brendan.” You had to then come back into this place to make a personal explanation. You behaved in a most partisan manner.

It is impossible for you to de-conflict yourself from being the radical, as you describe yourself, on the floor and in the media—attacking the Liberal Party as you do constantly, and defending the Labor Party—and then being in the Speaker’s chair and providing non-partisan rulings on matters of debate and interjections and parliamentary behaviour in this place.

Mr Speaker, I think that Mrs Dunne raises a very fair point. I think it is entirely appropriate at this stage—after your biased rulings, your partisan rulings that have been ongoing for a period of time now—to raise dissent in your rulings. We have lost confidence in you as Speaker and I think that you need to make some decisions.

As Mr Hargreaves pointed out in his paper that he published last year or the year

before, it is impossible for you to be the radical, to be the activist, to be yelling out unparliamentary behaviour from the floor and then have non-partisan rulings here. You have demonstrated that you are unable to do that.

No other Speaker in the western world tries to do that, and I think that it is arrogant in the extreme for you to attempt to do that. It is quite clear that you have done so unsuccessfully.

**MR SPEAKER:** Members, before the debate continues, I have just been advised that of course this is a dissent motion. That does not invite an entire discourse on the Speaker's character. It should be about the ruling. I ask members to bear that in mind in further discussion.

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (3.04): I rise to support the words of my colleague Mr Corbell in opposing this motion by Mrs Dunne. I do find it surprising that the blame for the opposition's behavioural problems, as I see it, over the last two years are being laid at your feet, Mr Speaker.

As the person that has attracted most of the heckling and jeering in this Assembly over the last two years, and the attention of the opposition, I can certainly say that in my almost 10 years in this place I have never experienced the harassment of other members that I think occurs in this chamber at this point in time. I think it is extremely disappointing that as our Assembly matures in age, the behaviour of this place becomes increasingly immature and gutter-like.

I am the one that stands in the majority of question times and receives 80 per cent of the questions—and I am very happy; that is my job—and I have been on the receiving end of the interjections as a regular occurrence where I cannot even hear myself think. The opposition's behaviour has been appalling. You have been extremely patient in warning them, and I find it rather incredible that the serially warned Mr Hanson rises and takes part in this debate after admitting that his behaviour has led to the situation that we are debating here today.

**MS LE COUTEUR** (Molonglo) (3.06): I just want to speak very briefly. As well as being an MLA, I am also one of the Assistant Speakers. It really concerns me that as an Assembly we are not behaving in a way that would in any way inspire the confidence of our constituents, of the people of Canberra. We should be here seriously debating the serious issues for the ACT. We spend an awful lot of time shouting at each other and being what can only be described as impolite and rude. As a debating Assembly, I personally feel we can do a lot better.

I think that all of us should reflect on how we can have the highest standards in the Assembly and be something that people in the ACT look up to. Some of the descriptions of us in the ACT are very far from positive or parliamentary. I think it behoves all of us to think of how we can do the Assembly better—how we can follow standing orders, how we can treat our fellow MLAs with politeness, at the very least.

**MR HARGREAVES** (Brindabella) (3.07): Mr Speaker, I wish to speak also in the capacity of an Assistant Speaker in this place. I have sat in that chair and observed the

behaviours of all parts of the chamber. I have been moved occasionally to warn people myself. In doing it, I reflected on some past Assemblies and how, in fact, I have served under Speaker Berry and under Speaker Cornwell as well as yourself.

I can recall the even-handedness of both Speaker Berry and Speaker Cornwell at times in very trying times, particularly when we were in opposition. We were quite enthusiastic and quite vocal, and we quite often got warned—and occasionally, every now and again, we got a holiday.

If I have a concern, it has been as Mr Corbell said. Your patience has been sorely tried to the point of almost breaking but you have only given one member a holiday in this place that I can recall. I have to suggest to you—

**Ms Bresnan:** I don't think so; it was Caroline.

**MR HARGREAVES:** Well, I take it back: it was Ms Le Couteur, and all power to her arm I say too. It is not something that people take lightly, to ask a member to withdraw their services from the house. There is a tendency for too much concerted heckling and abuse going across the chamber and too much of it from one source.

I do actually draw the chamber's attention to the fact that there have been members on this side of the house officially warned. I do draw the attention of the house to standing orders 202 and 203, which do not require the Speaker to issue an official warning. The Speaker has it within the authority of the chair to promptly name somebody for being continually disruptive or disorderly, and you have never taken that option.

I think that your generosity to those opposite and, indeed, to my side is something which I have to say I cannot duplicate. I do not have the patience that you do. Sometimes it is frustrating for me to see how much patience you actually do dish out for people. However, I must say this about this debate so far. It started out with a dissent from your ruling when you warned Mr Doszpot. Whether or not Mr Doszpot deserved the warning is for you to judge. That is why we give you the confidence of the house in your position in the chair.

But the actual debate so far has not been about that particular ruling. Mrs Dunne did skirt around it for a while. She did not refer to it for a little while. It has actually been about your performance generally as a Speaker. It has been about your dual role, if you wish, in this chamber. That was the substance of Mr Hanson's contribution to this debate.

What we may think and what we may do outside this chamber—even, indeed, in the context of debate—is one thing. But, Mr Speaker, you enjoy the confidence of this house as you sit in that chair. I, for one, will not vote for your removal from that chair. I think that is where this is leading. This is what I think is happening. I think this is a lead-up to a motion of want of confidence. If, in fact, those opposite have such a view I challenge them to do it now. Do it right now and let us be done with it. Then, once done with it, let us put it in the bin forever.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (3.11): I think

that a lot of what Mr Hargreaves said made a lot of sense. We have got to go back to what actually happened about 30 minutes ago. Mrs Dunne has moved dissent from one of your rulings, Mr Speaker. That ruling was based on standing order 39. It states that when a member is speaking no other member may converse or make any noise or disturbance to interrupt that member.

You had been quite clear. You had said to Mr Doszpot quite clearly and to others that you expected that interruptions, calling across the chamber and so forth would not be tolerated. Mr Speaker, you were consistent. You followed through. That is why Mr Doszpot then had a warning.

I follow on from Mr Hargreaves's comments. He is quite correct. There is not a warning system in the standing orders. Warnings are a courtesy. They are a courtesy. The Speaker can eject someone from the house by naming them. Mr Speaker, you have adopted a warning system. I do not believe that any of my fellow MLAs at this point have been warned but certainly the warning system has applied to others in this place.

I believe that you have always behaved fairly. You are not partisan in your role as Speaker. The Greens certainly do have confidence. I have confidence in your ability to fulfil your role and functions. I believe that you have done a very, very good job in the two years and you certainly will continue to have our support and confidence in your role as Speaker.

**MR SMYTH** (Brindabella) (3.13): I note at the outset the piousness of most of the speakers in this place. This place is a parliament. It is a place of cut and thrust. The unctuous words that are being muttered do not reflect the practice of any parliament anywhere in this world. They do not reflect the practice of this parliament over the last 22 years. So get off your high horses.

What we asked for, Mr Speaker, was fairness. All we asked for is consistency. I will go to the case of Mr Doszpot. Mr Doszpot yesterday, at the first utterance of the word "grub" back across the chamber, was warned. Now, for the last two and a bit years that you have been here, the Chief Minister has used "grub" consistently and he has never been warned. That is the problem, Mr Speaker—

**Mr Stanhope:** Point of order, Mr Speaker.

**MR SMYTH:** The application of the word—

**MR SPEAKER:** Order! One minute, Mr Smyth, thank you. Yes, Chief Minister.

**Mr Stanhope:** Just to correct the record. Actually, both Mrs Dunne and Mr Smyth have now alleged that I have never been warned. Indeed, you warned me yesterday. So—

*Opposition members interjecting—*

**MR SPEAKER:** Is there a point of order, Chief Minister?

**Mr Stanhope:** That is my point of order. I just wanted to correct the record—that actually Mr—

**MR SPEAKER:** All right, thank you. Mr Smyth, you have the floor.

*Mr Hanson interjecting—*

**MR SPEAKER:** Order! Mr Smyth has the floor.

**MR SMYTH:** If you would let me finish—upon it being brought to your attention that Mr Doszpot had been warned for “grub” when Mr Stanhope had used it often, of course, then Mr Stanhope was called to order but he was not warned. That is the problem here. There is a lack of consistency. That is what we ask for—consistency.

I have raised with you on several occasions, for instance, Mr Hargreaves. I can give you the dates—I have got them written down here—when Mr Hargreaves would deliberately ask questions that you would rule out of order and you would say, “Do not do it or I will warn you.” But he never gets warned. This is the problem. If the Speaker wants to enter the cut and thrust and be part of the ruck and then be the umpire, he runs the risk of being called to order. We will call you to order whenever we want.

It is interesting when you go to *House of Representatives Practice*. I thank Ms Hunter for referring to standing order 39. Standing order 39 states:

When a Member is speaking, no other Member may converse or make any noise or disturbance to interrupt that Member.

Can you imagine the functioning of this place—

**Mr Hanson:** Look at those opposite now, Mr Smyth.

**Mr Seselja:** They are breaching the standing orders.

**MR SMYTH:** They are in breach of the standing order now while I speak. Ms Hunter is now breaching the standing order that she just brought to the attention of the house. The hypocrisy of Ms Hunter in breaching the standing order that you just gave us a sermon on. You have to put in place practical application of the standing orders. They are not applied fairly and they are not being applied in a practical manner. *House of Representatives Practice* recognises this. It says at page 511:

The Chair, although recognising all interjections as disorderly, has also been of the opinion that it should not interfere as long as they were short and it did not interrupt the thread of the speech being delivered.

The measure normally is that when the speaker feels that their speech is being impeded, that is when speakers appeal. But that is not how it is applied here. *House of Representatives Practice* goes on to say:

It may be accepted that, as the House is a place of thrust and parry, the Chair need not necessarily intervene in the ordinary course of debate when an

interjection is made.

The point of interjections in many cases is that we are not getting the answers we want. In fact, we do not get answers at all. Ms Le Couteur today said, “But he has not answered the question.” Yes, it is an interjection. People then say, “Well, answer the question.” Ms Burch says, “We will look into it.” But we do not even get a vague attempt at the questions being answered. That goes to the very nature of question time. *House of Representatives Practice* is quite practical on this:

The purpose of questions is ostensibly to seek information or press for action. However, because public attention focuses so heavily on Question Time it is often a time for political opportunism. Opposition Members will be tempted in their questioning to stress those matters which will embarrass the Government, while government Members will be tempted to provide Ministers with an opportunity to put government policies and actions in a favourable light or embarrass the Opposition.

Welcome to question time. That is what we are here for. We are here to question. We are here to hold each other to account. But what we want is fair application, Mr Speaker, and fair application is not being applied here. It is only when we bring your attention to what appears to be selective hearing, to the fact that those opposite are saying words, for instance. You got caught out with this yourself yesterday when you made comments to me. When Mr Hanson made the same comment, he was asked to withdraw. Then when you got asked to withdraw, there was great prevarication. I think you used the words “I will withdraw my alleged comment” or “words that I was alleged to have said”. That is not even the right form of withdrawal.

All we are asking for is consistency. If you want this place to be silent at all times, then apply that rule in that manner. *House of Representatives Practice* says that where a member feels they are being interrupted in the flow of their speech, they can appeal to the Speaker for protection as is appropriate. That is how it has been for a long, long time. But if you want to shut question time down to the point where there is mute silence, just say so. Make that the rule, but apply standing order 39 to everybody. Ms Hunter so quickly proved the point after she quoted that standing order to us. Then she had a conversation which one could hear over here in breach of standing order 39, but nothing was done. Just apply it sensibly. That is all we are asking. We dissent from your ruling.

**MRS DUNNE** (Ginninderra) (3.19), in reply: Mr Speaker, I do not relish this and it is not great for the relations in the chamber that we have to do this—

*Mr Stanhope interjecting—*

**MR SPEAKER:** Mr Stanhope! Order, members! Mrs Dunne has the floor.

**MRS DUNNE:** But this is an important matter and it is a matter about consistency. Mr Corbell stood up and said, “Of course, you should come down on the opposition like a tonne of bricks.” There was a fair amount of coaching in that because the opposition is warned more often than anybody else. The opposition is warned in this place more often than anybody else, I contest, because of the partisan nature of the people who occupy the chair.

The thing is, Mr Speaker, that you have brought it to a head today. If you applied standing order 39 when Mr Doszpot spoke and said something that, sitting five feet away from him, I could not hear, it shows that you were just looking for an opportunity to warn someone. You referred back to an incident in the morning when he was asked to withdraw words. Yes, he was asked to withdraw words this morning, and you referred back to that and said, "I spoke to you this morning. I am now warning you."

When you warned him, he was speaking in a quiet way. This is the problem. It shows that you are partisan. It shows that you are prepared to have a much higher standard of behaviour from the Liberal opposition than you yourself demonstrate when you are in the chamber debating and than you expect from Mr Stanhope, in particular, Mr Hargreaves and the other members of the government.

It is an unfortunate situation but it is not our doing. It is not our doing. We are here today unfortunately debating your ruling and your behaviour. It is an unfortunate situation when we get to the situation where we do have to move dissent from your ruling. Unfortunately, it is a motion of want of confidence in you as the Speaker. If this motion succeeds, there is only one course of action for you, and that is why this is not done lightly.

This is a terrible situation to come about and you have brought it about yourself. Your partisan approach to the Liberal opposition has brought us to this place; nothing else. If this was about the cut and thrust of what goes on in the chamber, we would not be here. If there was equal treatment for the opposition and the government, we would not be in this situation here today. If you came down as hard on the Chief Minister, who is a serial flouter of the standing orders on a whole range of matters, large and small, as you have been on Mr Doszpot here today—

**Mr Stanhope:** Point of order, Mr Speaker. It is unparliamentary to allege that I behave in that way. There is no motion actually in relation to me and it is completely unparliamentary. Serial flouter of the standing orders—goodness me!

**MR SPEAKER:** I think it is not a point of order. Mrs Dunne, you have the floor to continue.

**MRS DUNNE:** Thank you, Mr Speaker. In comparison to the behaviour that Mr Doszpot demonstrated here today, the Chief Minister, as an example, has much worse behaviour every sitting day; and he demonstrated much worse behaviour during question time today, and you did nothing about it. Until you learn to treat each side equally—

*Mr Stanhope interjecting—*

**MR SPEAKER:** Chief Minister, do not make it difficult.



**MRS DUNNE:** Until you learn to treat each side equally, we will have to continue to dissent from your ruling. I commend the motion to the chamber.

Question put:

That **Mrs Dunne's** motion be agreed to.

The Assembly voted—

Ayes 5

Noes 10

Mr Doszpot  
Mrs Dunne  
Mr Hanson  
Mr Seselja

Mr Smyth

Mr Barr  
Ms Bresnan  
Ms Burch  
Mr Corbell  
Ms Gallagher

Mr Hargreaves  
Ms Hunter  
Ms Le Couteur  
Mr Rattenbury  
Mr Stanhope

Question so resolved in the negative.

## Questions without notice

### Self-government

**MR SPEAKER:** Mr Stanhope, with the question you were answering, would you prefer simply to go to the supplementary or would you like to finish?

**MR STANHOPE:** No. I still have some vital information to provide to members on the question.

**MR SPEAKER:** You have about 50 seconds remaining, Chief Minister.

**MR STANHOPE:** Thank you, Mr Speaker. I was informing members about the ACT government submission to the Senate committee inquiry into Bob Brown's bill. I had made the obvious point that I do regret at one level that it was a submission that the ACT government had to make without the support of the Liberal Party. I would have much preferred that we were able as an Assembly to make a submission to the Senate committee in the way indeed the Northern Territory parliament has. But that was not to be the case.

I was explaining that the ACT government has submitted that section 35 of the self-government act is an unreasonable constraint on democracy and our rights and it should be removed. I also took the opportunity to raise other issues in relation to the self-government act, most particularly the incapacity of this Assembly to determine for itself its size—I asked the Senate committee to look at that—and also the question of our—(*Time expired.*)

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

**MR HARGREAVES:** Thank you very much, Mr Speaker. Chief Minister, would you like to conclude the answer to the first part, given the amount of disruption to everybody's mind that we have just been through, and can you please acquaint the

Assembly with the tenor and content of some of the other submissions that have been made to the Senate committee's inquiry into this bill?

**MR STANHOPE:** I thank Mr Hargreaves. The—

**Mrs Dunne:** I raise a point of order, Mr Speaker. Can I seek your ruling? Mr Hargreaves asked, I think, a three or four-part question. Are supplementary questions allowed to be multi-part questions?

**Mr Hargreaves:** On the point of order, please, Mr Speaker, the first part was related to the first part of the question and the second. It was not a double part. It was relating to the whole question.

**MR SPEAKER:** The timing is sublime, Mrs Dunne. There is no point of order. I think that members will observe that, whilst it is not ideal, there are occasions when members express themselves sometimes through a double part. I have given some flexibility on that and I seek to be consistent across that. I am not encouraging it but I do not think Mr Hargreaves's question substantially flouted the standing order.

**MR STANHOPE:** Thank you, Mr Speaker. The other issue I did raise in my submission was around the view that this government holds—a view on which we would prefer to consult, of course—that a preamble to our self-government act should be able to be amended at the request of this Assembly to reflect, if it is the view of the community and the Assembly, that we should recognise prior Indigenous ownership of the ACT as other governments are doing.

Going to Mr Hargreaves's other part of the question, I also have the submission from the Northern Territory, and I do recommend it to members. What I recommend most particularly is the fact that it is a joint submission between the Labor Party and the Liberal Party of the Northern Territory. The Liberal Party in the Northern Territory was mature enough to work with the government and was prepared to stand up for the electors of the Northern Territory and ask for this particular provision of the self-government act to be repealed.

I also have, of course, other submissions and I would place particularly—(*Time expired.*)

**MS HUNTER:** A supplementary, Mr Speaker?

**MR SPEAKER:** Yes, Ms Hunter.

**MS HUNTER:** Thank you. Chief Minister, are you aware if all or any of the ACT's federal representatives are supporting Senator Brown's bill?

**MR STANHOPE:** Yes, and it is a great disappointment and we await with interest a sight of the Liberal Party of the ACT's, the opposition's, submission to the Senate inquiry. I understand that the Leader of the Opposition has indicated the Liberal Party will be making a submission on its own behalf, but that is not yet up or not yet authorised for publication so I have not yet been able to sight that.

I am, of course, aware of and I think we all enjoyed the enormous gymnastics of one of our senators, a senator who in the past has had a predilection for sticking up for the people of the ACT; he was even prepared to cross the floor. But I do believe that as he agonises over his job or his job, and how to keep his job, his views about sticking up for the people of the ACT have changed somewhat. I must say I have no idea what Senator Humphries in particular thinks about this provision. Indeed, for other federal representatives I am very aware of their clear position and their public position that this provision should be removed from the self-government act to acknowledge, and out of respect for, the people of the ACT.

So the standouts in the ACT, of course, are Senator Humphries, a senator for the ACT who simply will not declare that he is prepared to ensure the democratic rights of the people of the ACT, and the Liberal Party of the ACT that does not have the courage or the leadership to stand up for the people of the ACT or indeed to contradict any of its federal members. It is a classic case of Mr Seselja really now fulfilling his role as a Tony Abbott clone.

I think the only voice from the Liberal Party of the ACT that I am aware of is that of Greg Cornwell, an esteemed ex-Speaker of this place, who has made a submission. I will just read out in the time that I have Mr Cornwell's views on behalf of the Liberal Party:

I remember a Federal Government's social laboratory attempts years ago prior to ACT self-government and fear with the Greens' concept of a Brave New World we will face the same challenges again.

*(Time expired.)*

**MRS DUNNE:** A supplementary question, Mr Speaker?

**MR SPEAKER:** Yes, Mrs Dunne.

**MRS DUNNE:** Chief Minister, in your submission to the parliamentary inquiry did you at any stage point out that there were motions in this place to have a more wide-ranging inquiry into the self-government act and that you voted against those motions?

**MR STANHOPE:** I did point out that this Assembly has previously passed motions seeking a full ranging inquiry and indeed I passed that motion to the federal parliament and have advocated serially with three prime ministers over the last 10 years for just such an inquiry. I think at one level it might be the same sort of inquiry that the spokesperson for the Liberal Party in the ACT, Mr Greg Cornwell, would like. I will just repeat the only Liberal Party view that I am aware of in relation to the inquiry; I am not quite sure exactly what it is that Mr Cornwell was saying here as a Liberal Party member, but I will read it again:

I remember a Federal Government's social laboratory attempts years ago prior to ACT self-government and fear with the Greens' concept of a Brave New World we will face the same challenges again. Gay marriage and euthanasia simply are Trojan Horses, precursors to much more and currently unknown "progressive" legislation in what already is a nanny territory.

Whether or not we have the members capable of assuming the extra and considerable responsibilities of full self-government and of resisting temptation at 17 persons the Assembly is too few in number. Further, with fixed four year terms great damage, perhaps irrevocable, can be done over such a long period.

Sadly, as a supporter of ACT self-government I believe we need a considerable think about handing over total control without checks and balances.

So that is the only, incoherent as it is, submission to the Senate inquiry from a member of the Liberal Party or a previous member of this place that I am aware of. But at one level at least he has made a submission, which the current Leader of the Opposition is not prepared to do, it seems—or, if he has, it has not yet been made available.

Submissions close today so I think there remains an hour and a half for the Liberal Party to get its submission in, in which it has this one last chance for the Leader of the Opposition, Mr Seselja, to show a little bit of courage—that would be rare, and a first—and to show some leadership. (*Time expired.*)

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

### **Supplementary answer to question without notice Housing—Allawah, Bega and Currong flats**

**MS BURCH:** Earlier today Ms Bresnan asked me a question on the Bega, Allawah and Currong units. I just want to clarify that there are currently 114 units at each of Allawah and Bega, and also just to be clear that Currong is managed separately as student accommodation.

### **Election Commitments Costing Bill 2011 Papers and statement by minister**

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations): For the information of members, I present the following papers:

Exposure draft.

Draft explanatory statement.

Draft Guidelines for Costing Election Commitments, dated January 2011

I ask leave to make a brief statement.

Leave granted.

**MS GALLAGHER:** Today I have pleasure in tabling the exposure draft of the Election Commitments Costing Bill 2011 and accompanying guidelines for costing election commitments. I have decided to table this as an exposure draft in order to provide members of the Assembly, and the broader community if they are interested, an opportunity to comment on the bill prior to its introduction to the Assembly.

I have taken this action as the issue of election commitment costings is one that directly affects all members given that it plays a critical role in an election process. So in the interests of introducing a bill that provides a robust and equitable framework that balances the needs of politicians and the electorates in a cost-effective manner I am seeking your feedback.

To date, prior to each election, Treasury has been costing election commitments in accordance with an agreed government process. This bill is a positive initiative for the territory as it formalises and improves the election commitment costing process. It provides transparency of process so that politicians and the electorate understand how costings are requested and the basis for those costings. It provides a degree of third-party review to the election commitment costings and gives assurance to the ACT electorate that the costs are materially correct.

The bill provides that any party or independent MLA who currently holds a seat in the Legislative Assembly can request an election commitment costing. New South Wales is the only other jurisdiction with legislation that is as inclusive. It is proposed that Treasury undertake the costing of election commitments. An understanding of territory costs, policies and programs is required in order to undertake such costings. The government considers that Treasury has the requisite expertise and is best placed from both a skills and cost efficiency perspective to undertake these costings.

The bill also allows a party or independent MLA to choose whether to request a costing of one of its publicly announced election commitments by Treasury. The bill deliberately does not mandate that a costing must be requested so as not to infringe on a party's or an independent MLA's right to decide whether a costing is warranted, feasible or desirable.

It is proposed that costing requests can only be made for publicly announced commitments. This recognises that the pre-election period will present a unique challenge for Treasury when other parties have access to the department for costing purposes. So limiting costing requests safeguards the integrity of the Treasury by ensuring it only has access to public policies of parties or independent MLAs.

Under the bill, the party or an independent MLA cannot request a costing for a publicly announced election commitment of another party. One of the fundamental principles of the proposed process is that Treasury provides costings based on detailed information provided to it by the owner of the commitment. This is to minimise misunderstandings about the election commitment and ensure the accuracy of information upon which the costing is provided by the Treasury. Another party or independent MLA would not have the requisite knowledge necessarily of another party's or independent MLA's election commitment.

The bill prescribes the key elements of the election commitment costing process. To support the bill and to provide the underlying details, guidelines have been produced that contain the principles and processes to be followed by the relevant parties, independent MLAs and Treasury when costing election commitments. These draft guidelines ensure that the roles and responsibilities of public servants are clear and unambiguous during the election period and that government departments are objective and non-partisan.

I am providing these guidelines today so that members can fully understand what is being proposed and reach an informed view on the bill. The bill includes a requirement that a review of the legislation is undertaken after the next election, with a report to be presented in the Assembly. This provides an opportunity to assess the effectiveness of the costings process during the 2012 ACT election and to consider any interjurisdictional developments and possible improvements.

Given the topic of this legislation and in the spirit of openness and collaboration which we have all enjoyed here today, I am tabling this bill today as an exposure draft. I will also be writing to members today seeking comment on the proposed bill and guidelines. I would like to introduce the bill in the spring 2011 sittings so I am requesting comments by 19 May 2011. This timing would allow the bill to be introduced and debated well before the next election in 2012.

I believe the introduction of the Election Commitment Costings Bill will lead to improved transparency and will strengthen the level and integrity of financial information provided to the ACT electorate during the election process and that the bill and guidelines are a positive step forward for the territory.

## **Mature age employment**

### **Paper and statement by minister**

**MS BURCH** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women) (3.39): For the information of members, I present the following paper:

Mature Age Employment—Report by the ACT Ministerial Advisory Council on Ageing, dated 8 June 2010.

I move:

That the Assembly take note of the paper.

I am pleased to table today the ACT Ministerial Advisory Council on Ageing's report on mature age employment and I congratulate the council for undertaking this extensive piece of work and for their valuable ongoing input into government policy and planning. I would also like to recognise the chair of the ministerial advisory council, Alan Hodges, who joins me today. Thank you, Alan.

The ACT, like Australia generally, is experiencing an increasingly ageing population. Members would be aware that with an ageing population comes a reduced labour force participation. When you combine this with the pressure to find capable, skilled workers and a drop in young people entering the labour market, there is a much greater incentive for employers to look at recruiting and retaining older workers. It is well recognised that mature age workers can bring experience, wisdom, leadership and mentorship into their workplaces.

However, recent research shows that people over the age of 55 are not participating in the workforce as fully as they would like. Many older people want to remain employed or return to work but are discouraged by barriers such as negative attitudes, financial disincentives, the need to retrain or to develop new skills and a lack of recognition of existing skills and experience.

As we know, participation in the workforce has many benefits for both individuals and society as a whole. Higher economic growth is in part achieved through increases in labour force participation, with increases in hours worked generally leading to higher levels of gross domestic product per person. At an individual level, participating in the workforce can be beneficial to health, wealth and self-esteem as well as providing opportunities for social interaction.

This report on mature age employment identifies particular actions to support and increase mature age employment in the ACT. This includes actions that can provide employment opportunities for older people as well as assist in alleviating workforce shortages.

The report has proposed recommendations for the ACT government's consideration, including developing a policy for the ACT public service which includes incentives to retain and encourage the re-entry of mature age employees. The ACT government already encourages seniors to continue to participate in the workforce and, to support this, it is developing an ACT public service mature age employment strategy under our new respect, equity and diversity framework.

The development of the strategy will involve a number of elements, including consultation with the ACT Ministerial Advisory Council on Ageing, an examination of existing conditions of employment that may be enhanced to assist mature age employees, the identification of employment information for needs of the older workers and consideration of options to enhance attraction and retention practices for mature age workers.

The ACT government has also introduced a number of initiatives to support mature age employment in the ACT public sector, including the introduction of grandparental leave, the introduction of a mature age allowance and a range of flexible working arrangements such as carers leave, working from home provisions, job-sharing arrangements, purchased leave, part-time work and temporary employment registers and health and wellbeing programs. Other relevant ACT government initiatives include ACT Health's return-to-work nurse program and proposed adult apprenticeship arrangements.

The council has also recommended that the ACT government incorporate federal government program information on the Department of Disability, Housing and Community Services' seniors information portal and provide a facility for employers to list job vacancies for mature age people and for individuals to register their employment interests. The Experience+ website and other relevant federal government sites have been incorporated in the new DHCS seniors information online portal. The portal links older people and those supporting them to a wealth of information about services through a single entry point. Experience+ is a suite of new services designed to support mature age Australians who want to stay in the

workforce.

It includes information on how employers can list vacancies for mature age people and for individuals to register their employment interests. Employers and job seekers are encouraged to use their local Job Services Australia provider, which can also offer free and tailored assistance. The council also asks the government to consider developing and implementing programs which promote the value of mature age employment and counter the negative attitudes of younger workers towards mature age employees and encourage positive acceptance of mature age employees within the workplace.

In the ACT government strategic plan for positive ageing, we have identified a number of actions to address these issues. And they include promoting positive images of seniors through such programs as the life's reflections photographic competition and the Chief Minister's Canberra gold awards; encouraging the business sector to be more accessible and inclusive of seniors as employees and customers; pursuing initiatives that will support mature age employment and assist people to stay in work where they wish, to transition to retirement, through flexible work options; promoting vocational education opportunities; and promoting the role of the Human Rights Commission in investigating complaints of age discrimination.

The Office for Ageing is also working with the Ministerial Advisory Council on Ageing and the ACT and Region Chamber of Commerce and Industry to create a guide to engaging with seniors as customers and employees. This work aims to encourage the business sector to be more accessible and inclusive of seniors as employees and customers and is expected to be launched in the first half of 2011.

The final recommendation of the report was that government evaluate the effectiveness of mature age employment incentive programs in both the ACT public service and the ACT workforce. And I am pleased to say that evaluations will be developed in collaboration with the Chief Minister's Department.

In closing, it is important that we seek creative approaches to address the challenge of retaining and supporting mature age workers and acknowledge and value their contribution to the community. I believe that, through actions identified in the ACT strategic plan for positive ageing, the government will continue to make positive progress towards addressing this, and I welcome the opportunity to work in partnership with the Ministerial Advisory Council on Ageing to address this important issue.

Finally, the council does provide valuable and significant advice to me, which I value and have certainly taken to heart over the time I have been minister. And I want to thank them for their commitment to older Canberrans and for the positive contributions that they make that result in actions, certainly on-the-ground actions, and outcomes that make a difference to our broader society as a whole, both young and old alike. So thank you for your contribution—to you personally, Alan, and to all of the council members.

Question resolved in the affirmative.



## **Hospitals—bed numbers Papers and statement by minister**

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (3.47): I table the following papers:

Expanding hospital services in the ACT—An additional 400 beds—

Ministerial statement, 10 March 2011.

Options analysis, dated February 2011.

Health service delivery—Public consultation and discussion paper, dated February 2011.

I move:

That the Assembly take note of the papers.

Recently, at the end of February 2011, I released a public consultation and discussion paper on the expansion of public hospital services in the ACT, accompanied by a detailed financial analysis of the options prepared by ACT Treasury. A discussion paper entitled “Expanding hospital services in the ACT—An additional 400 hospital beds” sets out the future needs of the public health system and provides five potential options to meet those needs.

The ACT Treasury analysis of the options provides the community with a valuable additional resource when considering all of the options in terms of which of them will best suit the needs of our community and the surrounding region into the future.

As I have said on a number of occasions in this place, this government is committed to providing high quality and accessible public health services into the future, but at the same time we have to ensure that we continue to provide those services in a financially responsible way. The biggest cost drivers in our public health system are our public hospitals. Public hospitals in the 21st century are extremely complex pieces of infrastructure. They require large numbers of highly skilled professionals and the latest medical equipment to best meet the needs of their communities.

As a government, we understand our community’s desire to ensure that our public hospitals continue to provide the range of services and equipment required to provide comprehensive, safe, effective and efficient services. No government in the history of the ACT has done more to invest in people and infrastructure to achieve that aim.

Over the last 8½ years we have more than doubled the funding available to public health services in the ACT; added 240 beds to the public hospital system; more than doubled the number of salaried doctors in our public hospitals from the 290 available when we first came to government to 649 reported for 2008-09 by the Australian Institute of Health and Welfare; increased the number of nurses available by 60 per cent; introduced a range of support and development packages for GP services; and added a range of new services to meet the community’s needs, including a new neurosurgery suite, establishing the new subacute services at Calvary, establishing two specialised assessment and planning units for medical and surgical patients to

provide quicker transfer of patients from the emergency departments to specialist services, building and operating Australia's first public, nurse-led walk-in centre to provide our community with another option for minor, one-off injuries and illnesses, and building four new operating theatres that have served to increase the capacity of our hospitals to meet the growing demand for emergency and elective surgery.

However, we have almost reached the physical capacity of the public hospital buildings we currently have. Instead of simply adding additional bits to meet growing demand, we decided to look to the future and redesign our public hospital services to meet the needs of our community well into the future in an integrated and strategic way.

While Canberra remains the bush capital, it is also now a vibrant metropolitan city, and by 2020 it will be even bigger, with an expected population of more than 400,000 people living in the ACT and more than 200,000 people living in the surrounding regions to whom we also provide hospital services. While our public hospitals have provided our community with excellent care and services over many years, we have a responsibility to ensure that the level of care that our community rightly expects is available as our community grows and health service demand increases.

The plan for hospital expansion is not about now; it is about ensuring that the next generation will also be able to access high quality and affordable public health services. This is why we established the capital asset development plan in 2008. While the name of the plan is unexceptional and perhaps needs to be renamed, the ideas in the plan will revolutionise how and where public hospital services are provided.

Our community can already see the plan in action with the new women's and children's hospital underway and with construction work also beginning on the new adult mental health facility, both on the Canberra Hospital campus. After these new services are up and running, we will start on the building of a new general hospital building on the TCH site. All of these facilities are being built to plans that have been developed with the input of doctors, nurses, allied health professionals and, most importantly, patients to ensure that the completed structures meet the clinical needs of patients in the best environment.

Once completed, the Canberra Hospital will be able to continue its role as the major tertiary referral hospital of the region, providing the most complex services required by our community whilst also performing its role as a general hospital for the people of south Canberra.

The discussion paper outlines options for considering both the size of TCH and also the needs of the north side of Canberra. As Gungahlin continues to develop and with the first Molonglo residents expected to arrive next year, north Canberra's hospital needs will continue to increase. This really provides us with a once-in-a-generation opportunity to rethink, reconfigure and reassess how our acute and subacute health needs should be delivered in five to eight years.

The discussions around the ownership and management of Calvary Public Hospital

have provided the opportunity to relook at how and where services are and should be provided across the ACT. For example, research tells us that the most effective and efficient hospitals are those with clearly defined roles. In hospitals that provide both emergency and elective surgery, the needs of patients requiring emergency surgery will always come first, leading to postponements of elective surgery to meet the emergency needs. In the same way, hospitals that provide both acute hospital services and subacute care will, at times, find resources diverted from subacute to meet the more urgent needs of acute patients.

Health services also need a critical mass of health professionals to provide a professional and viable service. In a jurisdiction the size of the ACT, this means providing some services from a single place rather than trying to stretch scarce resources across both public hospitals. By co-locating specialist doctors, nurses and equipment in a single place, we ensure that patients get the best, safest and most comprehensive care possible.

Medical technology is another major factor in considering how best to provide public hospital services to the people of the ACT. Modern medical equipment requires new, purpose-built facilities, as older facilities were not built to properly house the new types of machines that are required to provide the latest and best care for patients. This provides a major financial consideration in terms of refurbishing existing facilities or building new ones. Our current infrastructure is reaching its use-by date, with facilities that are increasingly costly to maintain and which are difficult to refurbish to meet modern healthcare needs.

In contrast to the continuing emerging technical needs of major acute hospitals, the provision of subacute care, such as rehabilitation, is based more on therapeutic and support services rather than big machines that go “ping”. On top of this, we need to ensure that we have the bed capacity to meet the needs of our community well into the future. We do not want to leave future governments with the headaches that we inherited with a hospital system denuded of bed capacity and the lack of doctors and nurses that went with it.

As such, we are focusing on increasing the capacity of our public hospital system by about 400 beds over the next decade. On current estimates, the extra capacity that 400 beds will provide will meet the needs well into the next decade. But rather than just add 400 beds to the system, we want to ensure that we approach this task in a considered way. To do this, we have developed a set of core principles to lead our thinking.

Firstly, any solution had to have the patient at the centre. Next, we want to ensure that any solution is based on an approach that ensures patient care is fully integrated, and that the workforce is set up to provide the necessary collaboration. Thirdly, we want to ensure that public health services are accessible to all ACT residents in a timely and equitable manner. Our fourth principle seeks to ensure that our services remain safe and are delivered to the highest quality our community deserves. Finally, the fifth principle is to ensure that services are delivered in the most cost-effective manner possible without impacting on the quality of those services.

With these five principles in mind, we have developed five options for the community

to consider to best provide for public hospital services right across Canberra and the region as a whole well into the future. The five options are outlined in those papers I tabled. They include building additional capacity across both Canberra and Calvary public hospitals, with this option requiring the refurbishment of both sites. Option 2 is to build a super hospital on the Canberra Hospital site. Option 3 is to add some of the capacity required to the Canberra Hospital with the remainder forming a new north side acute public hospital. Option 4 is to provide a fully networked public hospital system linking the Canberra Hospital, Calvary Public Hospital and a new north side hospital, with Calvary taking on the role of the ACT's premier subacute facility with acute general hospital services for north Canberra to be provided at a new north side hospital. Option 5 is the same as option 4 with the roles of Calvary and the proposed new north side facility reversed, with Calvary providing acute services and the new north side hospital meeting the community's subacute needs.

We did consider a sixth option of building all of the additional capacity at Calvary Public Hospital. However, that would mean that Calvary would require significant redevelopment to meet the needs of a 700-bed hospital. This is not feasible at a time when we have committed considerable resources to rebuild Canberra Hospital. As such, the necessary delays in refurbishment of Calvary would mean that the hospital would not be ready to meet the increasing demand for inpatient services for our community.

The discussion paper I released at the end of February provides a full analysis of each of the five options. In addition to that paper, I also released a Treasury analysis of the options. The Treasury analysis provides a thorough assessment of all the options. The analysis scores each option based on a number of measures that are based on the principles that I outlined earlier. The Treasury analysis does note the benefit of providing a fully networked and specialised public hospital system in the ACT, and it also highlights the different costs for each option, including recurrent and capital.

These two papers provide members and the community with a comprehensive set of information about the needs of our community into the future and provide the basis for a considered response about which will best meet our needs in a fiscally responsible way.

The discussion will continue over the next six weeks with submissions welcome up to 14 April. The government will collate all the responses and make a final decision about how we best meet the public hospital needs for the whole of the ACT and region within a framework that ensures our community has access to safe, integrated and efficient hospital care. We will also look to the report of the Standing Committee on Health, Community and Social Services, which is due to be tabled at the end of March, in assisting the government in its final decision making.

I look forward to the community's response to the discussion paper, as well as any thoughts and ideas that members may have. As a government, we constantly seek public input into major policy decisions. Talking with the community ensures that we understand their wishes, and we value the ideas and thoughts of the people we serve.

Whatever the final decision, it will result in the commitment of large amounts of public funds. It is not very often that a community needs to plan for a 40 per cent increase in public hospital bed capacity. As such, all options need to be fully canvassed, and I encourage members of the community to think through the issues and provide us with their opinions and suggestions.

Little Company of Mary Health Care have been providing hospital services on the north side of Canberra since 1979. It is my sincere hope that whatever option is chosen we have the support of Little Company of Mary Health Care in pursuing that option. It may mean a change in the way services are configured in eight years, but health services do not and cannot stay static. If we are to meet the challenges ahead, all health services will need to be part of this reform.

Of course, it will be up to us as a government to make the final decision, following consideration of the submissions we receive, and we will fully explain our final decision in an open and transparent manner. Members and the people of the ACT can be confident that the final decision we make will be based solely on ensuring we can continue to provide safe, high quality and affordable public hospital services for our community, for our children and the next generation of Canberrans well into the future.

**MR HANSON** (Molonglo) (4.01): It is worth noting a few things about the journey that we have been on to arrive at this point today. It is a bit like a trip on an ACT ACTION bus—you never know quite where you are going and whether you will arrive there on time. Let us go back to where the first stop was on this—the Calvary debate, which was about the government wanting to purchase Calvary hospital.

When we were going through that debate, the government said that that was the only option worth pursuing. There were no other options that were viable. It had to be on that site. It was the only place to do it. That was the only way to do it. It had to be done that way because it was the prime site and it had to be done to fix an accounting problem. We on this side of the Assembly disagreed with that. We thought that it was a very flawed option. You do not buy a hospital to resolve what they perceived as an accounting problem but which we did not think was. As it turns out, it was never an accounting problem. Now you can actually hold the asset on both the government's books and the Little Company of Mary's books, as the Auditor-General has found.

We went through the whole Calvary purchase fiasco, and that is exactly what it was. We saw the situation with Clare Holland House. Although the Greens leapt at the Calvary proposal when it was first exposed, when they came to understand just how grubby it was with the sweetener of Clare Holland House, they too became concerned about what had been developed by the government.

We went on that little exercise from well before the last election—that was a point of order in question time, as I recall—in relation to what had been planned before the election and what had been planned after. Certainly for a couple of years from about August 2008 we wasted time going through this whole Calvary fiasco.

The government and the minister had said that that there was only one option and only one way to do it, but they then came back with four options. The minister tabled four options in this place, and we all scurried away to have a look at those four options. The Liberals moved a motion in this place to refer them to the health committee to have a look at them. The health committee has spent much of its time reviewing those four options. I have attended all the meetings, and the committee has sat through all the witnesses coming forward. There have been witnesses coming forward from lots of medical organisations and community organisations. The Little Company of Mary attended and the minister attended in her capacity as both the Treasurer and the health minister. We have now wasted more time. Not only have we wasted all the time on the Calvary proposal that was flawed from its inception, but we then had four other options, which now seem to have been largely discarded because we now seem to have moved on to five options.

I do not know if this is the last stop on this journey. It is difficult to know. Are these the last five options we will be asked to consider? I think we are running out of time to send these to the health committee. What action should we take on these options? Is this the last stop on this rather mysterious journey?

The problem we have with these five options is that the minister is quite adamant that she is going to stick them in the budget. I assume one of these options is going to be the final solution. We have wasted more than two years when we should have been looking at some deliberate options, some considered options. I actually do not mind what has been put forward by the minister now. But instead of having this process two and a half years ago when we could have looked at these options and considered them to see if there were any other better options and had a proper community debate—indeed the government's own consultation timelines say that for major proposals it should be a minimum of 12 weeks—in less than six weeks, as it turns out now, we are being asked to consider these five options.

I just want to make the point that this has been a very, very poorly managed process. It has been a pretty rocky journey to end up at this point. To see how difficult it has been for the government and this minister to arrive at this point today to come up with just five options does not bode well when thinking about how that will actually be executed when the decision is made and the minister pursues one or the other. If it took two years just to get to the point of having these five options, we can have little confidence in how the final decision will be implemented in the ACT.

It is worth bringing that to the attention of the Assembly as the minister tries to take some sort of credit for solving the problems of ACT Health. Many of the problems are of her own making, and they have been exacerbated by two years of delay, procrastination and a very poorly managed process.

Question resolved in the affirmative.

### **Estimates 2011-2012—Select Committee Membership**

**MADAM ASSISTANT SPEAKER** (Ms Le Couteur): Mr Speaker has been notified in writing of the following nominations for membership of the Select Committee on Estimates 2011-2012: Mr Hanson, Mr Hargreaves, Ms Hunter, Ms Le Couteur and

Mr Smyth.

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

That the Members so nominated be appointed as members of the Select Committee on Estimates 2011-2012.

## **International Women's Day**

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

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

The 100th anniversary of International Women's Day.

**MS HUNTER** (Ginninderra—Parliamentary Convenor, ACT Greens) (4.07): Today I would like to highlight an important milestone, the 100th anniversary of International Women's Day, and on reflection I wonder whether, on balance, our achievements are more symbolic. How far have we really come in 100 years? What do we need to address now and into the future?

As a female parliamentarian in Australia and as a leader of a party, one would say things are looking good, especially with three female Green politicians out of four currently elected. The Greens are certainly ticking boxes in the ACT.

Across the last 100 years, there have certainly been noteworthy occasions, firsts for Australian women. In 1918 Ada Evans won the right to be admitted as Australia's first female lawyer. In 1921 Edith Cowan became the first woman to be elected to an Australian parliament, the Western Australian Legislative Assembly. Dame Enid Lyons became the first Australian woman to be elected to the federal parliament, for the United Australia Party in 1943. It was not until 1962, however, that our Aboriginal sisters had the right to vote at all levels of government and in all states and territories for the first time.

In 1966 women were no longer required to resign from their jobs when they married. The marriage bar was lifted. In 1969 we saw the federal parliament legislate for equal pay with the equal pay for work of equal value act. Interestingly it was not until 1981 that marital rape was criminalised in New South Wales.

And 1987 saw Mary Gaudron become the first woman appointed to the High Court of Australia; 1989 saw Rosemary Follett become the first female head of a government in Australia when she was elected ACT Chief Minister. Quentin Bryce became the first female Governor-General in 2008, and in 2009 Anna Bligh became the first elected female Premier. The latest and largest coup rests with Julia Gillard, elected first female Prime Minister of Australia.

Each of these achievements should be celebrated in their own right. These large gains

inspire women and demonstrate what can be achieved. As a Green, I take a holistic view and, when contemplating International Women's Day, naturally think of my sisters around the globe—the women in Africa who still suffer female genital mutilation, those in the Middle East who fear honour killing and endure arranged marriages—and closer to home, those of our first people, some of whom live in communities that lack opportunities for their young and services for all.

Globally women still face abuse, violence and oppression. They are also overwhelmingly the carers, caring for the children, the disabled and sick and the elderly. Perhaps this is why there is also such hope, because when we support women, particularly in the developing world, it is estimated that, for every woman we support, she brings four others with her. Care Australia's walk in her shoes program to educate girls to empower them from poverty demonstrates that women have the ability to be capacity makers and change makers; they are resourceful and resilient.

International aid agencies and community groups world wide provide millions of hours of work, often unpaid, to assist in improving the lives of women, providing essential healthcare, freedom from violence and a vehicle to have their voices heard. On occasions this work is totally transformative.

I instance the local women in the Democratic Republic of Congo, cited as the most dangerous place in the world, a place where 70 per cent of women have experienced rape and now the children of rape are enduring the same. Despite such extreme violence, aid workers risk their life to improve the lives of women and children.

Last night, I was very pleased to be able to host a screening of the Care Australia documentary, *A Powerful Noise*. This documentary explores the work of three women working against what most would see as insurmountable odds to improve their communities, including those ravaged by war, HIV/Aids and the lack of educational opportunities for girls.

In Australia there are thousands of women, a considerable number working as volunteers, that really deserve recognition and praise. And while I cannot name them all, I note their tireless and passionate work across sectors, particularly the community sector. One example is Liz Mullinar, a true survivor, herself sexually abused as a child. She sold her very successful casting agency, pouring all her resources into a centre for healing, Mayumarri in the New South Wales Hunter Valley. And Mayumarri now boasts three healing centres, one specifically for children, another for young women. And this is a place where survivors of abuse can heal for a nominal fee per week to cover food, and it is staffed totally by survivors.

One of the reasons I am passionate about supporting the community sector is that successful programs actually prevent much larger costs, both financial and social, in other areas such as the acute health sector, particularly mental health, and the justice system. I noted some interesting statistics on the Mayumarri website and they were that almost 80 per cent of people suffering depression have suffered abuse, 92 per cent of heroin addicts have suffered trauma and 94 per cent of amphetamine users have suffered trauma.

In the ACT an example of a standout program transforming the lives of women is the



Canberra Rape Crisis Centre. The CEO, Veronica Wensing, has devoted much of her career to breaking the silence and supporting women to heal. As we all know, violence against women has certainly not disappeared. However, culturally I believe we have made some progress around the unacceptable nature of violence and assault.

Across the country there have been improvements, with early intervention and prevention, with additional work required in support after the event. In the ACT I am happy to report that there has been a significant improvement in the cohesion of services. The wrap-around process now sees the police call the Canberra Rape Crisis service after every assault. I thank local women like Veronica for devoting her working life to supporting women of the ACT and surrounds and raising the profile of sexual assault and working to stamp out violence against women.

One hundred years on, however, where are the lives of women at? Sixty per cent of the 1.4 billion people currently living in poverty around the world are women. Of the 130 million children who are out of school, 70 per cent are girls. One in three has been physically or sexually abused. Complications from pregnancy and childbirth kill 500,000 women a year, and 99 per cent of these deaths are in developing countries. And in many parts of the world, women still are unable to show their faces, vote, own land, earn an income or gain an education.

In Australia the snapshot is of course much better but still reveals a 17 per cent pay gap or \$1.5 million over a lifetime. But I do want to acknowledge that, in the ACT, in the ACT public service things look a lot brighter. And the minister did table yesterday an update on where we are up to with gender pay equity. And I thank the minister for that. It was in response to a motion that I put before this Assembly for International Women's Day last year.

The profile does show, and I am pleased that it does, that the pay equity gap in the ACT public service has reduced to 3.3 per cent. This report includes a comprehensive gender analysis and it will now be a permanent section in all future workplace profiles. I would like to thank the minister for following that through, doing that good work, the public servants who worked on it and the public service commissioner, Catherine Hudson. It is an important piece of work and I am pleased that it will now be updated regularly.

If you go back to the Australian snapshot, 34 per cent of women fill positions in the Senate, 24 per cent in the House of Representatives. Thirty-six per cent of women hold senior public sector management positions, while only 12 per cent do in the private sector. Women hold 34 per cent of director positions on government boards but only nine per cent do on private boards.

Today we have heard calls for quotas on female representation on boards. This is an issue that should be looked at via cultural support programs that demonstrate what these decision-making bodies are missing by not having female representation.

As the statistics of where we are at continue, we find that many women, too many women, have suffered violence and we need to really have a look at this issue of violence. In the events that I have been to this week, it certainly has been highlighted as a key issue that needs to be taken up. Certainly the Sex Discrimination

Commissioner, Elizabeth Broderick, at the breakfast that was held in Canberra on Tuesday morning, raised this issue that violence against women in the ACT, in Australia, across the world is still an issue that we really need to tackle, particularly when you see statistics such as 40 per cent of women have experienced violence since the age of 15.

So where to from here? Perhaps the answer is in the Amnesty International motto of vigilance. I hope it does not need to be eternal vigilance, however. Importantly, the United Nations has recently recognised the need for a front-line women's program. In July 2010, the United Nations General Assembly created UN Women, the United Nations Entity for Gender Equality and the Empowerment of Women. UN Women is headed by former Chilean President, Michelle Bachelet. And I do hope to see an acceleration of equality and empowerment programs that are driven by UN Women, especially for disadvantaged women, those who have no voice, particularly many of those women who really are struggling in developing countries.

Clearly men play a role in cultural change, and I am happy to report that a number of male ACT MLAs are ambassadors for the White Ribbon Alliance. I know that Mr Rattenbury spoke at the white ribbon launch this year and gave a very important, moving and passionate speech about the need for men to be part of the solution in combating violence against women. Of course this is the only national violence campaign against women, and really we all need to ensure that all of us play a role in reducing violence against women.

Improving the lives of women and girls globally is a mammoth task. It involves untangling entrenched cultural and political belief structures and in many cases involves someone relinquishing power. This is why, no doubt, structural change is so difficult. We need to remember that millions of women world wide have no access to democratic decision making or policy change.

How do women fare? In Australia significant advances have been made. Pay equity, violence and equal representation are still issues where improvements could be made. Across the globe, too many women still suffer, as do many children. Poverty, war and interpersonal violence are tragically the mainstay for millions globally.

When we think of the countless examples of needless suffering, some wonder what we can actually do, and others say it is too hard. I am humbled and inspired by women who take the step to positive change in their communities, some in the face of enormous danger and even risk of death. Unlike us, all these women have is the courage to stand up and make change themselves. Today I recognise and honour women world wide that are standing up, that are finding their voices, or even thinking about how they can improve their communities.

**MS BURCH** (Brindabella—Minister for Disability, Housing and Community Services, Minister for Children and Young People, Minister for Ageing, Minister for Multicultural Affairs and Minister for Women) (4.21): I thank Ms Hunter for raising this matter of public importance. International Women's Day is a global day celebrating the economic, the political and the social achievements of women past, present and into the future. It has been observed since the early 1900s, a time of great expansion and turbulence in the industrialised world, which saw a booming

population growth and the rise of rapid free thinking and practising of new ideologies.

The first official International Women's Day was held in March 1911, making this year the global centenary. On this day in 1911 more than one million European men and women rallied throughout several European countries calling to allow women the right to vote, the right to work and the right to hold public office. For 100 years International Women's Day has been drawing women together in unity and in friendships to celebrate past achievements and highlight social, economic and political issues.

The new millennium has witnessed a significant change and attitudinal shift in both women's and society's thoughts about women's equality and emancipation. Many young women today believe that there is nothing left to fight for, that all the battles for women have been won, but there are many here in this room that will know that, while things are better, there is still so much more to be achieved.

That said, great improvements have been made. Women now have real choices. The tone of International Women's Day has, for the past few years, moved from being a reminder of the negatives to a celebration of the positives. One positive victory for women and the women's movement overall is the story of Anne Summers and her determination to establish Australia's first women's refuge, Elsie, in Sydney in 1974.

I, along with Ms Hunter, earlier this week attended the ACT Women's Services Network's International Women's Day breakfast, and there I had the pleasure of hearing Elizabeth Broderick, the Federal Sex Discrimination Commissioner and Commissioner responsible for Age Discrimination, speak about Anne Summers and Elsie. I just wanted to share this positive story of courage and determination today.

During the 1970s a wave of feminism was swelling across Sydney, and Anne Summers, along with other like-minded women, acknowledged the need for a safe haven, a space where women could gather and meet and safely remove themselves from domestic violence situations. Summers and her colleagues found a perfectly-suited abandoned house located in the Sydney suburb of Glebe. However, this house was owned by a local church, who refused permission to access for the purpose of a refuge. But it seems apparent now that this did not dampen or hinder Anne Summers. Indeed, it could be said to have encouraged her and her passion to help women and champion women's safety.

One evening Summers and her friends took up their shovels, enthusiasm and courage and indeed broke into this abandoned house in Glebe and established their ownership as squatters and christened their house Elsie women's refuge. Shortly after entering into Elsie and setting up the refuge, women from all across Sydney were coming together and fleeing from their violent homes and openly discussing their stories with one another. From this courageous act, led by Anne Summers, the women's refuge movement had begun.

Madam Assistant Speaker, this is just one of the many positive victories that we now recognise and reflect upon as we come together to celebrate International Women's Day. Though we reflect on the positives, we must also acknowledge that there is still some way to go.

According to the Australian Bureau of Statistics in 2006, one in three Australian women have experienced physical violence since the age of 15, and almost one in five women have experienced sexual violence. These figures are completely disturbing and indicate that nationally there is still work to do to address domestic violence. The ACT government recognises this.

As a result, in February this year the Council of Australian Governments endorsed the national plan to reduce violence against women and their children. The ACT government remains a progressive force in engaging with the public debate about ways of addressing domestic violence and child abuse. In 2010-11 the government provided funding of \$2.8 million over four years to community services which offer assistance and support for women and children experiencing violence.

This national plan is the first of its kind, as it emphasises a whole-of-government and whole-of-community sector approach throughout all jurisdictions and at all levels to eliminate the factors and triggers which unfortunately can lead to domestic violence occurring. The ACT, along with other jurisdictions, is in the process of creating and developing the ACT strategy of the national plan.

Coupled with the national plan is the ACT government's commitment to the stay at home program, which is an initiative arising out of the national partnership on homelessness. This program is facilitated by Housing ACT and is designed to help women and children in public housing who experience domestic violence to stay in the family home and for the perpetrator to be removed from the tenancy agreement and rehoused elsewhere. The stay at home program is significant as it shifts the focus and allows the women and families to stay in place and for the perpetrator to be removed.

I also wish to acknowledge the importance of celebrating, supporting and valuing multicultural women in our society. Earlier this week I had the privilege of launching the ACT Multicultural Women's Advocacy International Women's Day celebrations and their *Solace in Song* CD. The *Solace in Song* CD includes music and interviews about the challenges and triumphs experienced by local multicultural women and their process of adjusting to life in Australia. The stories which these women have told me show of their determination, commitment and dedication to supporting multicultural women in the broader community here in Canberra.

I am forever encouraged at the bravery of newly arrived women that they continuously display as they confront and break down the barriers they face when they come to a new country. The ACT government recognises the barriers which newly arrived women face, such as the difficulty in gaining employment due to the lack of experience in Australian workplaces. That is why this government has introduced the work experience and support program run by the Office of Multicultural Affairs. This program provides participants with opportunities to apply their skills and professional and educational backgrounds and to gain practical work experience through work placements across several agencies in the ACT government.

Many of the work experience and support program participants have gained employment contacts or permanent jobs in the ACT workforce after participating in this program, and over the last three years 50 per cent-plus of participants in that program have been women. Many of the women who participate in this program come from countries such as India, Bangladesh, China, Pakistan, the Philippines, Japan, Greece and Belarus. The commitment of multicultural women to participate in programs such as the work experience and support program and their determination to settle into the Canberra community is something to celebrate, and the ACT will continue to support multicultural women—new arrivals.

I also wish to acknowledge the importance of recognising women's participation in the workforce. The recently released *What Women Want 2010-11 Survey Report*, published by the Community and Public Sector Union, indicates that a key concern for working women is access to paid maternity leave. According to the CPSU report, a third of women rated paid maternity leave as very important and a further 14 per cent said it was important. The ACT government recognises these concerns and, as a result, in 2009 we as a government announced the introduction of 18 weeks paid maternity leave for ACT public service workers—one of the most generous maternity leave schemes in the country.

Madam Assistant Speaker, celebrating women and celebrating International Women's Day is indeed a matter of public importance. This government recognises the victories that we have achieved for women but also understands there is a lot more to do. This is why the government will maintain our vision and support women and girls to realise their potential and continue to be valued and recognised by the community.

Over lunchtime today I had the pleasure of launching a booklet which was based on some work done through the Commissioner for Children and Young People. He engaged the conversation: why are girls important? It was really heartening and refreshing to see the honest and quite meaningful contributions by our young women.

Finally, I would just like to briefly mention the senior appointments in DHCS of three senior women who have come to join the team. I welcome Natalie Howson as the deputy chief executive. I welcome Christine Nolan as the Executive Director of the Office for Children, Youth and Family Services. I also welcome Veronica Wensing, who, when she returns from a holiday overseas, will be joining the Office for Women as director-manager, initially for a six-month period, but I am sure I convince her to stay a little bit longer.

I thank Ms Hunter for bringing on this motion. I have really enjoyed the celebrations that I know that a number of us have been to over the week. The week will come to an end, but certainly the work and activity that is behind International Women's Day will continue for the weeks and months ahead.

**MRS DUNNE** (Ginninderra) (4.32): I thank Ms Hunter for bringing on this matter of public importance. I suspect that a sitting week wherein International Women's Day falls could not go by without a motion or a matter of public importance. It always falls to my task on these occasions to rain on our parade just a little. I would like to go on the record, first and foremost, on behalf of a whole range of people who have expressed to me their dissatisfaction and concern at the revived discussion this week

about the need for quotas in employment and quotas on boards.

I was interested to sit and listen to *Q&A* earlier in the week when this matter was raised by Mr Hockey. I was sitting with my eldest daughter who said, as the conversation elapsed, “He’s going to say that we need quotas. Gee, I hope he doesn’t say we need quotas. Because every time somebody says we need quotas it means that when I succeed in a job, it doesn’t look like I deserve it.” This was echoed over and over and over again. I think it is about time that people started to realise that not every woman in the community wants to get on by virtue of quotas.

To add insult to injury, a day or so after this the Minister for the Status of Women, Kate Ellis, made an extraordinary announcement in a Press Club speech about how they were going to impose rules and regulations on companies to ensure that they had right-minded practices in relation to employing women and that their practice was such that they were now going to create a workplace gender equity agency, which would also have some sort of inspectorate at a cost of \$11.2 million, to go around and inspect organisations to make sure that they were complying with the government’s new rules. She went on to say that government contracts would only be directed towards those organisations that complied with these new rules.

I was flabbergasted at this. I thought this was a classic case of policy on the run. I actually heard a commentator, I think on *Insiders* during the week, saying, “The trouble with the current federal Labor government is that they never actually war game anything out. They never actually play it out to the end to see what the results would be.” After two or three minutes contemplation of this policy, my immediate reaction was that I was opposed to it—and I put it on the record that I am opposed to such a policy. But just think about what would happen.

The commonwealth government is going to say that unless you meet the requirements of having a certain number of people in a certain number of positions high enough up the organisation, you cannot get a government contract. I would like to draw the attention of the Minister for the Status of Women to some building sites around this town. Take the ASIO building down the road. There is a head contractor there and dozens, if not hundreds, of subcontractors of a particular size. Anyone who has employers of more than 100 will have to start meeting these requirements.

So is Kate Ellis seriously saying to the electricians, the plumbers, the formwork carpenters, the chippies and the plasterers that their jobs will have to go to make way for a whole stack of women who do not actually want the jobs? We heard Ms Burch this morning saying that it was a real problem that women did not seem to want to work in some of these trades, even though it was easier than used to be the case, because sometimes you just have to have physical strength. As someone who does have some idea of what goes on in the building industry, I think that the average young carpenter or electrician who is currently on that site would feel somewhat threatened by Ms Ellis’s suggestion that he should give way so as to meet some quota for some federal minister for some not very well thought out policy.

What does this do to the blue collar trades—the people that the Labor Party say that they are there to look after? It would adversely affect, as I have said, the current ASIO development, the redevelopment of the Attorney-General’s office in Barton, the

recently completed redevelopment of the Edmond Barton Building, work that is being done possibly at the ANU—I am not sure about that—and a whole lot of other things. And then there are all the school halls and housing projects under the stimulus package. All of those could potentially be affected by this ill thought out policy. She said that what she wanted was no more good intentions but outcomes. The outcomes Kate Ellis wants is for young men to lose their jobs in favour of women who are not qualified to do the jobs and who probably do not want to do them.

In this debate today I also wanted to look at development issues across the world. We spend a lot of time talking about gender pay gaps, and these are issues of significance and importance, but a 17 per cent gender pay gap, it seems to me, pales into insignificance when you are a women in a developing or war-torn country and are subjected not only to bad health conditions, with no access to water and insufficient food, but also to rape, being a weapon of war and being trafficked.

Quite frankly, I want to pay tribute today to some people that I consider great role models—the women who are working in development. I want to just highlight a few. One of them is a friend of mine, Kim Vanden Hengel. She is the CEO of CNEC Partners International, an organisation which does not receive Australian government funding and which has been operating since 1943 and doing amazing things.

I have spent many an evening with Kim as she has described to me the work of the fistula hospital that they run in the Democratic Republic of Congo. She has talked compassionately about ethical and creative measures that they take in their missions in Chile, China, the Conga, Kyrgyzstan, the Philippines, Rwanda, Tanzania and Uganda.

While we are on the subject of fistula hospitals, it was only recently that we again had the privilege of being visited in Canberra by Catherine Hamlin who, together with her late husband, established the Addis Ababa fistula hospital. These women in the Congo, in Ethiopia and in Afghanistan are working to put dignity back into the lives of people whose lives have been ruined by war.

Let me just give you one example. Fauzia is 35 and comes from Afghanistan. Fauzia is a young woman who has been suffering from fistula problems, an obstetrics fistula, for 25 years when at the age of 10 she gave birth to a stillborn child after she was raped. So at 10, raped, pregnant and losing a child, and on top of that suffering horrific injuries as a result, school was out of the question. Making friends was out of the question. Who would come near her because of her injuries? Her injuries were horrific and have been with her for 25 years, but her story has a happy ending. Fauzia has recently left hospital. For the first time in 25 years she is not wearing a continence aid. There are hundreds of stories, thousands of stories, like that across the country, and I pay tribute to the people who look after those people.

I would also like to pay tribute to another hero of mine, a small, now very elderly Italian nun named Sister Eugenia Bonetti, who has been one of the foremost advocates for anti-trafficking law reform in Italy over many years. Although a nun, and nuns do not talk about prostitution—or that was the general view—she has been a prophet for this movement across Italy and across the world. I pay tribute to this elderly nun who has spent all her time looking after women who have been so

damaged after having been trafficked for the European sex trade.

**MS BRESNAN** (Brindabella) (4.42): On this important occasion of the centenary of International Women's Day I will focus on women in the ACT with a disability. It is true that women in the ACT largely enjoy a high standard of living with good wages and conditions. There is, however, an undercurrent of disadvantage and there are some revealing statistics about the wellbeing of women with a disability.

Women with Disabilities Australia reports that women with disabilities are, from the government record, one of the most marginalised and disadvantaged groups in Australia. There are 1.8 million women in Australia with a disability. While the ACT has the lowest number of women with a disability, they still make up a significant proportion of the territory. In the ACT 16.9 per cent of women have a disability, of which six per cent have a disability that results in severe core activity limitation. Women with a disability suffer the dual disadvantage of gender and disability.

The Australian Institute of Health and Welfare released a report in January on disability support services. This report revealed that only 40 per cent of women with a disability are accessing education and support services nationally. Unfortunately, in the ACT it is a worse figure, with only 30 per cent of services being accessed by women. This disparity is a trend and it is not changing. It is something that advocates have been informing government of for at least a decade. The majority of spending is directed at men and boys, and this is because there is a skew to the types of disability that affect males in greater numbers, such as acquired brain injury.

It would seem that an approach to fund types of disability creates winners and losers, and in this case women are often the losers. A far more equitable approach would be to take a human rights approach to funding. We would then see funding that focused on support, participation and inclusion of the individual rather than a person with a specific disability.

A budget submission from Women with Disabilities ACT and the Women's Centre for Health Matters outlines the following issues as requiring urgent attention: a lack of gender awareness amongst disability advocacy services and disability service providers; a lack of awareness of women with disabilities amongst health, community and women's services; a need for information for women with disabilities in appropriate formats, for example, sexual health; the need for improved access to health services and access to personal care; a lack of leadership opportunities for women with disabilities; a prevalence of violence towards women with disabilities which is not reflected in access to services; and a prevalence of social isolation among women with disabilities. Women with Disabilities ACT have existed without ongoing funding for 15 years, and it was only last year that they received one-off funding from ACT Health and Disability ACT.

The Convention of the Elimination of Discrimination against Women, or CEDAW, is a human rights treaty that Australia is a signatory to. Last year the CEDAW monitoring committee reported that there is a complete absence of women with disabilities in positions of influence and leadership. In fact, they are nearly invisible.



Due to the significance of this report I will quote it at length, particularly paragraphs 42 and 43:

The Committee is concerned that women with disabilities are almost entirely absent from key leadership and decision-making positions and continue to be disadvantaged with regard to educational and employment opportunities. It is concerned about the high levels of violence experienced by women, particularly those living in institutions or supported accommodation. The Committee also notes with concern that non-therapeutic sterilisations of women and girls with disabilities continue to be practised in some states in Australia and notes that the Commonwealth Government considers this to be a matter for state governments to regulate.

The Committee urges the State party, in the light of its recent ratification of the Convention on the Rights of Persons with Disabilities, to undertake a comprehensive assessment of the situation of women with disabilities in Australia. The Committee recommends that the State party address, as a matter of priority, the abuse and violence experienced by women with disabilities living in institutions or supported accommodation. The Committee further recommends that the State party adopt urgent measures to ensure that women with disabilities are better represented in decision-making and leadership positions, including through the adoption of temporary special measures such as quotas and targets, in accordance with article 4, paragraph 1 of the Convention and the Committee's general recommendation No. 25. The Committee recommends that the State party enact national legislation prohibiting, except where there is a serious threat to life or health, the use of sterilisation of girls, regardless of whether they have a disability, and of adult women with disabilities in the absence of their fully informed and free consent.

Considering the ACT lags behind with a 70-30 split for access to support services for women in the ACT, there is much to do. I urge the minister to look closely at the CEDAW report and assess its relevance to the ACT. It is sad to hear that advocates have been saying the same thing for over a decade while Disability ACT has not heeded these calls.

Another area of critical need is the reporting of statistics of women with a disability for all government and government-funded services. If we receive this data we will be better placed to direct funding appropriately, mindful of the territory's relatively poor participation of women with disabilities in education and support services. I hope there is a concerted effort to help these most disadvantaged women to participate fully in society, something that will no doubt enhance our community.

Women from all backgrounds have a great deal to offer our community. It is important to remember, as has already been said in this week of International Women's Day, that there is still much progress to be made for women's rights and, as I have highlighted today, particularly for women with a disability. It is important to not forget the past battles that women have fought and this is something that has been brought up at a number of events this week for International Women's Day. It is important that we do not forget those battles that have been fought and that we keep reminding younger women in particular that we need to celebrate and preserve these victories and keep working to achieve more for women now and into the future.

I do want to also just acknowledge and thank Ms Hunter and Mrs Dunne for praising the work of women overseas who have devoted their lives to helping women in developing countries. Mrs Dunne was relating stories of fistula, and, although I know it is not normal practice to promote particular books, there is a wonderful book called *Half the Sky* which has come out recently and which talks about women in developing countries and the particular issues that affect them, and fistula is one of them, plus politics and women's participation in education and some really practical solutions to enhance women's participation.

Education was particularly highlighted as one way of giving women greater autonomy and more economic opportunities and as a way to raise women's status within their communities and give them more standing and more confidence to be a part of their community. The book also talked about women in politics in developing countries. We know we have made progress here in Australia, in particular with representation for women, but when we look at our own political system there are very few women from Aboriginal backgrounds or from other backgrounds, and I think that is where we need to make progress in Australia. This book particularly looks at what we can do to enhance that and get women more involved in politics overseas. So I would commend people to look at that book; it looks at those issues and highlights them greatly. I thank Ms Hunter once again for bringing on this matter today.

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (4.51): I thank members for their contributions today. It has been a female-led MPI for probably one of the only times that I can recall.

This week has been a fantastic week right across Canberra, with many different events celebrating 100 years of International Women's Day—with all of the events I have been to and with the women I have spoken to. Whilst it has been very celebratory in its nature, International Women's Day has also been about events where women have acknowledged that there is still a lot more to be done, both here and across the world, if we are to support full equality across men and women in both the developed and the developing world. The challenges in some countries, of course, are greater than ours.

But let us look back at how International Women's Day started. It is 100 years of International Women's Day being celebrated. You can see that it was the collaboration and determination of women across different countries who worked together to get an international day that was recognised.

Some may say that it started in America; others will say that it started in Europe. Even here in Australia, by the late 1800s, the 1880s, the first Australian suffrage societies were being formed across the country. Certainly by the early 1900s there was a very concerted effort to have a day where women would press for their demands on that day. International Women's Day was born and honoured for the first time in 1911 in Austria, Denmark, Germany and Switzerland, with more than a million men and women attending rallies and campaigning for women's right to work, vote, be trained and hold public office and to end discrimination. In that same year, the tragic "triangle fire" in New York city took the lives of more than 140 working women, most of them Italian and Jewish immigrants. It drew significant attention to the working conditions

of labour legislation in the US that became the focus of many subsequent International Women's Day events.

In Australia, we have a proud and interesting history of a strong and militant women's movement and we have seen what a difference movements of this longevity and magnitude can make to the fabric of our community. South Australia was the first colony to grant women the right to vote and stand, in 1895. Western Australia followed, giving women the vote in 1899, but it was another 21 years before WA women were given the right to stand. It was in 1903, just two years after federation, that the commonwealth government passed legislation allowing most women to vote and stand in the 1903 federal election. New South Wales, Victoria, Queensland and Tasmania all passed their own legislation after federation, to catch up with South Australia and WA and give women the right to vote. Whilst most women could vote, Indigenous women could not.

Over the next couple of decades, women stood for parliament, but none were successful until 1921, when Edith Cowan was elected just one year after her state gave her the right to run. The *Age* editorial at the time cautioned against more women entering politics. It said:

Were political office to become ... the latest craze of fashion, there would be many dreary and neglected homes throughout the country sacrificed on the altar of political ambition.

Edith was the first woman to enter any Australian parliament when she was elected to the Western Australian Assembly. She introduced the Women's Legal Status Act, which enabled women to practise law. In 1923, Victoria, the last of the states to do this, gave women the right to stand.

In 1928, the first International Women's Day rally was held in the Sydney Domain. In 1943, the first women were elected to federal parliament and in 1962 Indigenous women were finally granted the right to vote. In 1966, the ban on married women in the public service, as laid out in the commonwealth Public Service Act, was lifted; up until this time, women had to resign from the public service as soon as they were married. I did find it interesting that it did not take too long before there was paid maternity leave; in fact, it was only seven years from the lifting of the marriage bar to the granting of paid maternity leave for commonwealth public servants.

In 1969, the Australian Council of Trade Unions mounted a test case to get rid of the difference between pay rates. The court ruled that women should begin to get at least 85 per cent of the male wage. In 1972, it was decided that women would be awarded equal pay—that is, 100 per cent of the male wage. We know there is more work to be done and I think other speakers have spoken on that.

In 1973, when Gough Whitlam became Prime Minister, he created the position of women's adviser to the Prime Minister, the first position of this type in the world. Elizabeth Reid was the first to hold this position and was supported by the office of women's affairs, which was installed by Whitlam.

In 1975, ACT senator Susan Ryan attended the first United Nations World Conference on Women in Mexico City. In that same year, the Whitlam government introduced no-fault divorce through the Family Law Act 1975, allowing both women and men to leave marriages without having to show fault of their spouse. This was an important milestone for women, because before this time women would be trapped in marriages as they did not always have the resources to prove the man's fault.

In 1983, under the Hawke government, Australia became a signatory to the United Nations Convention on the Elimination of all Forms of Discrimination against Women, known as CEDAW. In 1983, Senator Susan Ryan was the first female Labor federal minister. As the minister assisting the Prime Minister for women's issues, Senator Ryan introduced the Sex Discrimination Act in 1984.

In 1989, of course, we had Rosemary Follett becoming Chief Minister of the ACT Legislative Assembly, closely followed, in 1990, by Carmen Lawrence, who became Premier of Western Australia and the first female premier. In 2002, we had the first female Aboriginal minister in any government in Australia, in the Northern Territory. And in 2010, Julia Gillard became Australia's first female Prime Minister.

This year the first national paid parental leave scheme came into effect. The scheme is paid at the national minimum wage for up to 18 weeks.

I have pulled out the major changes over that time, but you can see just what has been won for women and the achievements that have been made here in Australia in our political history. We know through representation of our communities that parliaments respond to those communities' needs. Women have been at the forefront of change over the last 100 years—change not just in the area of women but in the areas of human services and community investment. Here in the ACT, we have had a pretty proud record of female representation in this parliament. I take my hat off to all the feminists that have worked long and hard in delivering this change so that women like me can enjoy it.

I did note on International Women's Day that, once I had worked a full day, packed some lunch boxes, packed the school bags and made a range of different dinners catering for the dietary needs of my children, I fell into bed exhausted, wondering whether everything we had achieved has been worth it. But then I woke up the next morning and felt a lot better. I think that on balance we have made significant achievements, and I salute all of those who have campaigned for change.

**MS LE COUTEUR** (Molonglo) (4.59): I thank Ms Hunter for raising this matter of public importance. I have felt moved to join my fellow female MLAs and say something about this important matter.

Ms Gallagher was just talking about whether or not it was all worth the change. I just reflected on that moment, comparing my life with my mother's. I will not go into the more recent part of my mother's life; her problems are not to do with being female. She was a librarian; she would still regard herself as a librarian. She worked for what has now become the ACT government. She was a school librarian, which was a great

job, you would have thought, for someone with three kids. But she was forced to leave her job because they were not prepared to have part-time workers.

I think it is really great that we have in general got past this. We do recognise that many people can make a very good contribution in their work in a part-time fashion. That is one small way—not a small way; it is a major way—in which we have increased the opportunities for women and for many men in our workforce.

That is largely going to be the theme on which I am going to very briefly speak. I was inspired in listening to Mrs Dunne's comments about company boards and the desirability or otherwise of quotas. I was looking back to my previous job. Before being an MLA, I was a director of an ASX-listed company. I did not get there, of course, as part of a quota. The ASX does, as people may be aware, have listing rules, which do talk about governance and issues of board composition. But this is an area where we probably should be pushing even more strongly the concept of merit-based selection.

The theme of my speech today is going to be that merit-based selection, properly done in all cases, would be really positive for women. We are wonderful. We are brilliant. With merit-based selection, we would be in the places that we want to be. We need to remember this. I am sure Mrs Dunne—

**Mr Barr:** Will you burst into a Helen Reddy song?

**MS LE COUTEUR:** Yes. If I had a better singing voice, Mr Barr, I would sing it, but I will spare you all my rendition of this.

**Mr Barr:** I have got it in my iPod.

**Mrs Dunne:** We need to put on the record that there are lots of people who do not agree.

**MS LE COUTEUR:** Thank you. Thank you, Mr Barr. Sorry, Mr Assistant Speaker: yes we must have a debate, and not too much interjection.

It is really important in company boards and in general to cut down the old boys network. I do say the “old boys network”, because it tends to be the old boys rather than the old girls. I could almost say that I look forward to some time in the distant future when maybe the boys will be saying, “We have to cut down the old girls network”—because we have succeeded so well as a result of merit-based appointments. But I fear this will not be in my lifetime—probably not even in the lifetime of my daughter or my granddaughter.

I think it is an important issue. It is one of the issues that I hope that we bring up in terms of looking at equitable investment: how a company runs itself, whether its board has a reasonable number, whether it has a reasonable diversity—a diversity of genders and a diversity of other experience and attributes—and whether its management and its workforce have a reasonable and appropriate diversity.

I do take Mrs Dunne's point that not every job is equally attractive to both genders; I do not think that anyone would for a minute suggest that both genders were the same. But if we look at things from a merit-based point of view, I think it is possible for all of us to have our rightful dues.

I would like to say thank you to Ms Hunter and everyone else for bringing up this important matter, and may we have many more International Women's Days.

**MR ASSISTANT SPEAKER** (Mr Hargreaves): The discussion is concluded.

## **Adjournment**

Motion by **Ms Burch** proposed:

That the Assembly do now adjourn.

## **World Plumbing Day**

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (5.04): I would like to bring to the Assembly's attention a very important but curiously overlooked day on our calendar.

Tomorrow, 11 March, is World Plumbing Day and it is a day to ponder the advantages that plumbing brings to our lives. I understand that this is not a glamorous topic and that most of us only contemplate the joys of plumbing when we somehow feel inconvenienced by it—when the water is taking too long to heat up on a brisk Canberra morning or when one of the many fixtures we have in our homes and workplaces is defying us by not working properly. We may even feel put out by the necessary outages for maintenance of the infrastructure that delivers our water supply.

So why is World Plumbing Day cause for celebration? Why shouldn't we take plumbing for granted and expect hot and cold running water to be available whenever and wherever we need it?

We should have an expectation that our right to clean water will be protected and that we will have high quality services, but we should not take our conditions for granted. Whilst we in the ACT enjoy this situation in our daily lives and the protection provided by excellent standards of water quality, utilities and plumbing installations, over 1.2 billion people, or more than one-sixth of the global population, do not have access to any clean water.

As the United Nations reports, 2.6 billion people, and almost half the population in developing regions, do not have access to basic sanitation. And, sadly, this number is growing, not declining. In many regions where water and basic sanitation are available, the security of supply is threatened by conflict, pollution and siphoning by business operations. Water may be located a considerable distance from people's homes, meaning that hours of every day that could be spent on education and more productive activities are taken up with the sourcing of water for drinking, irrigation, cooking and cleaning. There may also be few people in the area that have been trained

in the design, installation and maintenance of any facilities and infrastructure.

So, while citizens of some countries have a constitutionally protected right to access broadband internet services, others have no access at all to basic necessities. People across the world and in our own country and region have been affected by natural disasters that have also cut off their supplies to drinking water and destroyed drainage and sanitation infrastructure. Our thoughts are with them as they work to restore their services and their lives.

What this highlights is that the swinkful conditions that billions of people live with as normal are considered states of emergency and indications of disaster and hardship areas in the First World. In contrast, according to ActewAGL's annual drinking water quality report for 2009-10, in that year over 50,000 megalitres of drinking water were supplied to Canberra and Queanbeyan. Our daily consumption ranged from 87 megalitres in September to a maximum of 213 megalitres in February, and our per capita consumption was 312 litres per person per day.

The ACT has over 2,500 licensed plumbers for water supply and sanitation and our apprentices are trained in a system that is arguably the most comprehensive in the world. I must acknowledge the excellent standards of teaching provided by our registered training organisations offering plumbing training.

The relative good health of our population is in no small way due to our water supply and our plumbing systems. We now rely on these systems to help with our environmental, social and economic goals. As our standards increase and advanced plumbing technologies become integrated into our water and energy efficiency initiatives, it is worth reminding ourselves tomorrow and again on World Water Day on 22 March how lucky we are.

There are many ways one could mark the occasions, and I am not necessarily advocating this afternoon that everyone should go and hug a plumber, although, if you do, please make sure that he or she is appropriately licensed. You can make a donation to one of the many organisations working to improve access to clean water and sanitation across the world and, if you are a plumber, you can attend the morning barbecue starting at 7 am hosted by the ACT Planning and Land Authority offices in Mitchell—and you can do both. ACTPLA is partnering with Magnet Mart, the ACT Master Plumbers Association and the Australian Building Codes Board for the fundraising event and all money raised will be donated to Queensland and Victorian flood victims and to water projects run by Oxfam.

For all of us, maybe the most appropriate way to note the event is to raise a glass of clean, safe Canberra water to World Plumbing Day. *(Time expired)*

**Ms Bianca Elmir**  
**Brisbane Broncos**

**MS BRESNAN** (Brindabella) (5.09): I rise today to congratulate Bianca Elmir, who has graced us with her presence in my office, who won the Australian flyweight championship on Sunday at the Australian boxing championships in Melbourne; I hope I got that right. Bianca was drawn to compete against the number one from

Queensland and won that match. That took Bianca to the finals on Sunday against Western Australia and she took out the gold in that match, which she has told me was a close fight but, as Bianca said herself, she was “the stronger fighter!”.

Bianca is now number one in two weight divisions, flyweight and bantamweight, and still number one bantamweight Australian kickboxing champion. Bianca will now be heading off to Europe for four weeks on Sunday and this is the first time that females will be competing in these European tours; only men have competed in these matches in the past. Bianca will then come back to compete in the Arafura Games in Darwin and then will be competing internationally across the year.

If Bianca wins at the titles next year, she will be going to the world titles in China in May before the Olympics in August 2012. I know that everyone across the Greens’ offices, and I am sure many others in this building—I know she has a few fans in the building—wish Bianca all the best and will be cheering her on to make the Olympic team. We will miss her greatly while she is away but she will hopefully be back. As I keep saying to her, if she wins a gold medal at the Olympics, she gets to go on a stamp across the country, so that is something to aim for. I wish Bianca all the best and I am sure she is going to get there because she is very determined and committed and it is great to see that she has won the Australian titles.

I also just want to note that it is the start of the National Rugby League season this weekend. I cannot let it go past and I would like to wish my team, the Brisbane Broncos, all the best for the year ahead. I know they—

**Mrs Dunne:** They will need it again.

**Mr Barr:** Keep that dream alive.

**MS BRESNAN:** That is possibly true—

**MR ASSISTANT SPEAKER** (Mr Hargreaves): Order, members. We have had discussions about discussions, thank you.

**MS BRESNAN:** I know the Broncos are probably big viewers of daily on demand for the Legislative Assembly—probably not—but I just want to say that I will be out at Canberra Stadium next Friday night cheering them on against the Raiders. I do hope the Raiders have a good season as well, but once you have a team you never change your team, and I know all Raiders supporters and other supporters of other codes would appreciate that. So I wish the Broncos all the best for the year ahead and hopefully they will make the finals this year.

**Canberra Raiders**  
**Ms Bianca Elmir**  
**World Plumbing Day**  
**Ms Maureen Cane**

**MR DOSZPOT** (Brindabella) (5.12): First of all, in response to Ms Bresnan’s comments about her football team, I do hope that eventually the Canberra Raiders will become your football team when you have been here long enough. That was meant to



be a compliment, by the way. I have just taken out my family membership for both the Raiders and the Brumbies. I will be there on Sunday.

Before Bianca leaves, I would also like to offer my congratulations. I believe it was in 2003 that her soccer coach told her that she needed to take up a sport where she could hit someone. And she has done that with so much success that, after she hung up her soccer boots, she took out her first Australian boxing title, I believe, in 2008. Congratulations now on her current title, the flyweight boxing title, that she has taken out. I saw her this morning and she told me she is on track for the 2012 London Olympic Games and I congratulate her and wish her all the best in her pursuit of becoming an Olympian.

On Mr Barr's comment about World Plumbing Day, I think it is in fact a very important reminder to us all of the great work that plumbers are performing in Queensland and New Zealand in particular as they assist people now and will continue to do so over the next many months to give people back the essential services that these hard-hit areas in particular require—services that we all take for granted. So I totally agree with Mr Barr's point on that.

I would also like to mention that I was one of around 200 people who attended the official farewell of Maureen Cane from Communities@Work on Tuesday evening. After 10 years at the helm of Communities@Work, Chief Executive Officer Maureen Cane has decided to pursue other opportunities. We joined Maureen's colleagues and friends to celebrate her outstanding achievements at Communities@Work at a special function in the balcony room of the Tuggeranong community function centre. It was a very interesting function and one that obviously paid great credit to Maureen's service to the community and to Communities@Work.

Maureen Cane has been the chief executive of Communities@Work for 10 years. She holds a Master of Arts degree from Oxford University and a graduate certificate in public health from the Flinders University of South Australia. Maureen's career includes 15 years in senior management positions in the Australian public service and the ACT public service, including chief executive of the Department of Public Administration and as the first Commissioner for Public Administration in the ACT. She has 11 years experience in senior management positions in the community sector.

Perhaps it can be said that her departure also marks a pivotal point in the growth of Communities@Work. It highlights her long contribution to the community as she has managed the process to amalgamate Galilee Inc, a community sector organisation that supports disadvantaged children and youth, and Communities@Work. When the amalgamation was announced a few months ago, Maureen Cane said she warmly welcomed the amalgamation which would utilise a wider group of staff and staff expertise to provide high quality family support and youth services.

At that time she also announced she was leaving and said what a wonderful privilege it was to work for such an innovative and dynamic organisation with dedicated professional staff and a supportive board of directors, and she was delighted at that stage to say that she was leaving Communities@Work in excellent hands and with bright prospects for the future.

At a farewell on Tuesday, Maureen's staff spoke about her determination, her sense of humour and her commitment to and leadership of an organisation that has so ably assisted and contributed to the community of Canberra. Maureen, in her typical, self-effacing way, paid credit to all those who worked with her over the years and paraphrased some lines from the Barbra Streisand song *The Way We Were*: "So it's the laughter I will remember whenever I remember the way we were." I am sure, Maureen, many people will remember you in much the same way and offer you their congratulations for your contribution to Canberra to date.

I am sure I echo the words of many hundreds in Canberra who will remember your passion, enthusiasm and commitment to Communities@Work in Canberra and wish you well in whatever area you choose to continue your work in from now on.

### **Ms Maureen Cane**

**MRS DUNNE** (Ginninderra) (5.17): I want to take this time in the adjournment debate also to pay tribute to Maureen Cane on her retirement from Communities@Work. As the shadow minister for family and community services, I have had a lot of dealings with Communities@Work and I have always been inspired by the professionalism, the drive and the dynamism of Maureen Cane. I think Maureen probably does not remember this but when I was a tiny, baby, junior public servant she worked in the same department and at a very young age I knew that she was a person to emulate and to admire.

Although we do not always agree, I have always remarked on her professionalism and her commitment to what she does, and this is no more borne out than in the 10-odd years that Maureen has devoted to Communities@Work. She has made Communities@Work what I think is probably the most forward-thinking and innovative large not-for-profit organisation in the ACT, and that is a big call. I think that is down to the dynamism of Maureen and that is borne out by the fact that she has worked so hard to bring about the amalgamation with Galilee. Maureen and Communities@Work and Galilee saw that the future combined was better than the future working in some ways against one another—not in a bad way, but there are some things that we need to do in our community sector to ensure that we are providing a really great service and it is being as effective as possible. I think Maureen is a great exemplar.

The fact that so many people turned up and the warm words that were spoken about Maureen on Tuesday night are a demonstration of just how warmly regarded she is. There was a very warm message from Ronni Khan, the founder of OzHarvest, talking about Maureen's commitment to that project as an example of how she is committed to similar projects in the community.

I wish Maureen and her husband Peter every enjoyment of this phase of their life. Maureen is not retiring; I could not imagine Maureen Cane retiring. I do wish her well with the next venture in her life.

### **Canberra Hospital—radiation oncology unit**

**MS GALLAGHER** (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (5.20): I would just like to put on record my thanks to a gentleman who wrote to me and gave me his permission to use a letter he wrote to the radiation oncology team at Canberra Hospital passing on his thoughts about the service he received and his thanks for the care and treatment he received.

We often hear about people who have been unhappy with their treatment in the hospital. It is also important to put on the record comments that are provided that are very positive for the staff. It makes a huge difference, I know, in morale for staff who work in the health system when they get this sort of feedback. The letter says:

Over many years I have dealt with many government departments both in my professional life and in my involvement in the community. I can say without fear of contradiction that your department is the best, most efficient department I have ever dealt with over those years. You may ask what I mean by the best, and sometimes this is hard to define, but in the case of your department the following must be included.

People that you may wish to talk to are usually easily accessible. All staff are friendly and make you feel you are the focus. There is a team approach within the unit. The whole unit is coordinated and when one staff member does not have an answer, they direct you to a staff member who can help. Most times appointments are kept on or before time, unless there has been a problem, and this is then explained. You are not left sitting for any length of time without knowing why.

These attitudes spread to the patients who will talk to you about their illness. I would personally hope that not only other hospital departments but other public service areas would use radiation oncology and the team as an exemplar for running other departments. I will actually miss seeing all of you and wish each and every one of you the best. May the smallest of your hopes and dreams come to pass.

So I just want to thank the radiation oncology team for the treatment and care they provided to that gentleman and I pass on our thanks and appreciation for the services they provide to the community.

Question resolved in the affirmative.

**The Assembly adjourned at 5.23 pm until Tuesday, 29 March 2011, at 10 am.**

## Answers to questions

### Alexander Maconochie Centre—drugs (Question No 1287)

**Mr Hanson** asked the Attorney-General, upon notice, on 7 December 2010:

What is the number of drug tests by urinalysis conducted in the Alexander Maconochie Centre, by month, between 1 November 2009 and 30 November 2010 and was each test conducted (a) upon entry to the Alexander Maconochie Centre, (b) based on information, “targeted tests”, (c) as part of rehabilitation programs or (d) randomly.

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

The total number of urinalysis tests conducted at the Alexander Maconochie Centre (AMC) from 1 November 2009 to 30 November 2010 was 896. A breakdown of these tests by month is as follows:

	Nov 2009	Dec 2009	Jan 2010	Feb 2010	Mar 2010	Apr 2010	May 2010	Jun 2010	Jul 2010	Aug 2010	Sep 2010	Oct 2010	Nov 2010	TOTAL
New Receptions	24	8	1	4	4	5	11	2	3	2	0	2	0	66
Targeted	63	44	25	39	50	20	52	46	39	40	19	14	21	472
Random	0	169	0	0	0	0	0	0	0	0	0	189	0	358
TOTAL	87	221	26	43	54	25	63	48	42	42	19	205	21	896

The total number of targeted urinalysis tests includes tests of prisoners who participated in rehabilitation programs. These tests were not identified separately.

Towards the end of 2010, oral and swab testing was introduced to conduct preliminary screenings of prisoners for presence of drugs. Such testing is a less intrusive method of drug testing. Negative results from these preliminary screenings may result in no further (urinalysis) testing being conducted. Further, during this period a new provider was engaged to conduct urinalysis testing of prisoners at the AMC.

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### Government—media and communications advisers (Question Nos 1361 and 1364)

**Mr Seselja** asked the Attorney-General and the Minister for Police and Emergency Services, upon notice, on 8 December 2010:

- (1) How many staff are employed as media advisers or communications advisers in each department and agency in the Minister’s portfolio.
- (2) What is the average salary of each staff referred to in part (1).
- (3) How many staff (a) are employed as graphic designers and (b) manage advertising as their primary responsibility.

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

- (1) In my portfolio as Attorney-General and Minister for Police and Emergency Services, the Department of Justice and Community Safety (including Emergency Services Agency) and ACT Policing, employ ten media/communications officers: Two officers of Senior Officer Grade B classification level, one officer at Senior Officer Grade C and one at the Administrative Services Officer 5 classification level; one ACT Policing officer at band level 9 and band level 7, two ACT Policing officers at band level 6 and band level 4
- (2) The salary of each officer, in line with the relevant Collective Agreements is provided in the table below. These figures include a 22% composite that is paid to all of the ACT Policing media and communications officers (other than the coordinator) to be available to be called to duty 24 hours a day seven (7) days a week:

Agency	Classification	Salary
Corporate	SOG B	\$96,618
Corporate	SOG C	\$88,168
ESA	SOG B*	\$108,766
ESA	ASO 5	\$63,409
ACT Policing	Coordinator Band Level 9**	\$152,000
ACT Policing	Band Level 7	\$110,485
ACT Policing	Band Level 6	\$101,700
ACT Policing	Band level 6	\$101,700
ACT Policing	Band Level 4	\$82,125
ACT Policing	Band Level 4	\$82,125

\* The Senior Officer Grade B also oversees community education for the ESA.

\*\* The ACT Policing Coordinator also oversees the ACT Policing marketing area and is not solely involved in media and communications.

- (3) None of the agencies employs graphic designers or staff to manage advertising as their primary responsibility.

### **Labor Party—election commitments (Question No 1399)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, how much money was spent on the program to extend maternity and paternity leave for the period (a) 2008-09, (b) 2009-10 and (c) 1 July to 31 December 2010.
- (2) How much money is committed for the program referred to in part (1) for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to Treasury costings for each year, why not.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

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### **ACT Policing—liquor related callouts (Question No 1403)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) How many liquor-related police call-outs were recorded in the periods (a) 2008-09, (b) 2009-10 and (c) 1 July 2010 to 31 January 2011 in the areas of (i) Civic, (ii) Kingston, (iii) Manuka, (iv) Braddon, (v) Erindale, (vi) Belconnen town centre and (vii) other areas.
- (2) In what periods of the year are the main concentrations of police call-outs.
- (3) What are the reasons for the police call-outs.
- (4) How many infringements were issued during each period and in each area identified in part (1) since the introduction of on-the-spot fines for anti-social behaviour.
- (5) For what offences were the infringements referred to in part (4) issued.
- (6) How many infringements were issued for each offence type.

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

- (1) A detailed answer to this question is not available as this level of specific data disaggregation is not possible within the current AFP systems. However, enhancements were made during 2010 to capture additional data where alcohol is linked with an incident. Recent data can be found in the following tables.
- (2) This information is provided in table 1 below:

Table 1: Number of alcohol-related incidents by Suburb and Month – 1 July 2010 to 31 January 2011

<b>SUBURB</b>	<b>Jul-10</b>	<b>Aug-10</b>	<b>Sep-10</b>	<b>Oct-10</b>	<b>Nov-10</b>	<b>Dec-10</b>	<b>Jan-11</b>
ACTON	2	2	3	6	5	13	0
AINSLIE	13	13	9	14	10	8	12
AMAROO	3	2	1	2	1	4	1
ARANDA	1	5	0	2	3	2	2
BANKS	5	1	2	2	3	7	4
BARTON	1	0	1	1	2	0	1
BELCONNEN	26	27	27	28	30	25	24
BONNER	0	0	0	0	1	0	0
BONYTHON	4	2	1	7	1	10	4
BRADDON	13	22	34	31	31	29	24
BRUCE	5	7	4	9	10	4	8

CALWELL	5	7	6	8	7	7	5
CAMPBELL	0	1	1	2	2	3	0
CAPITAL HILL	3	1	1	0	2	2	3
CASEY	0	0	0	0	0	2	0
CHAPMAN	0	1	0	0	0	0	0
CHARNWOOD	12	9	7	8	11	13	7
CHIFLEY	0	1	1	1	2	2	1
CHISHOLM	4	5	5	11	6	4	20
CITY	196	167	160	175	188	164	146
CONDER	1	6	8	12	7	9	7
COOK	3	2	2	1	2	3	3
CURTIN	4	4	3	3	6	3	6
DEAKIN	3	2	2	4	1	2	5
DICKSON	15	12	13	21	27	15	12
DOWNER	6	4	5	6	5	3	4
DUFFY	2	0	3	3	1	2	0
DUNLOP	1	4	3	5	2	3	6
DUNTROON	0	0	1	0	0	0	0
EVATT	3	5	4	5	6	2	7
FADDEN	1	0	2	2	0	1	5
FARRER	2	0	1	1	0	1	2
FISHER	3	0	0	6	2	2	2
FLOREY	8	4	7	5	8	7	10
FLYNN	2	2	1	0	0	2	1
FORDE	0	1	0	1	1	0	1
FORREST	1	0	0	1	0	2	0
FRANKLIN	0	0	2	0	0	3	0
FRASER	2	2	4	4	5	2	0
FYSHWICK	1	2	2	3	3	1	5
GARRAN	3	3	1	6	5	3	3
GILMORE	1	1	3	2	2	2	2
GIRALANG	3	4	4	3	4	2	1
GORDON	2	5	2	2	7	10	8
GOWRIE	6	4	3	6	5	11	6
GREENWAY	11	18	16	22	16	20	20
GRIFFITH	9	7	6	11	11	10	12
GUNGAHLIN	14	14	16	21	15	15	14
HACKETT	0	2	1	2	4	4	6
HALL	1	0	1	0	0	5	1
HARRISON	1	2	3	2	3	3	2
HAWKER	3	3	1	3	3	2	8
HIGGINS	4	3	1	1	4	2	3
HOLDER	0	1	0	0	1	2	3
HOLT	22	9	7	17	11	13	10
HUGHES	0	0	1	1	2	2	1
HUME	4	0	1	0	3	4	1

ISAACS	0	2	1	0	0	1	0
ISABELLA PLAINS	2	3	3	4	1	6	8
KALEEN	2	2	5	6	19	4	9
KAMBAH	18	14	11	16	13	30	19
KENNY	0	1	0	0	0	0	0
KINGSTON	8	7	12	18	5	20	11
LATHAM	2	6	3	6	3	5	4
LAWSON	1	1	0	0	0	0	0
LYNEHAM	12	15	10	15	25	10	18
LYONS	4	4	4	3	6	10	4
MACARTHUR	2	0	0	0	0	0	1
MACGREGOR	5	2	3	5	4	4	4
MACQUARIE	4	5	9	6	4	6	9
MAWSON	3	3	4	4	3	5	7
MCKELLAR	2	0	2	2	1	2	2
MELBA	0	2	1	5	3	1	0
MITCHELL	6	1	5	12	3	10	2
MONASH	6	2	4	2	3	10	5
NARRABUNDAH	5	4	6	10	8	9	7
NGUNNAWAL	10	8	6	8	15	8	8
NICHOLLS	4	5	7	5	7	10	3
O'CONNOR	1	7	3	4	11	7	3
O'MALLEY	1	2	1	0	1	0	1
OAKS ESTATE	1	1	1	2	1	1	1
OTHER AREAS	2	5	1	5	6	10	6
OXLEY	4	1	1	3	1	3	0
PAGE	1	1	1	4	1	5	6
PALMERSTON	1	5	4	7	6	5	1
PARKES	2	2	1	4	2	5	3
PEARCE	3	0	1	0	2	2	0
PHILLIP	16	11	9	18	14	18	9
PIALLIGO	0	0	0	1	0	0	1
QUEANBEYAN	1	0	0	0	0	0	0
RED HILL	6	0	3	6	4	2	8
REID	6	2	3	11	6	10	1
RICHARDSON	5	6	4	6	8	11	6
RIVETT	2	4	0	3	1	4	4
RUSSELL	0	0	0	0	1	2	0
SCULLIN	0	2	2	1	5	8	5
SPENCE	3	4	1	3	6	0	2
STIRLING	3	4	2	2	2	2	1
STROMLO DISTRICT	0	0	1	0	0	0	0
SYMONSTON	2	3	5	3	1	2	1
THEODORE	3	2	3	3	4	3	2



TORRENS	0	1	0	4	0	3	1
TURNER	5	11	8	14	10	12	7
WANNIASSA	13	8	18	13	21	19	23
WARAMANGA	2	2	0	2	2	4	2
WATSON	7	4	13	6	8	9	10
WEETANGERA	0	1	0	0	1	1	1
WESTON	8	4	3	5	2	5	3
YARRALUMLA	0	1	0	5	2	1	6

(3) This information is provided in table 2 below, listing the reasons as being the confirmed incident type.

*(A copy of this table is available at the Chamber Support Office).*

(4) These infringements refer to the Criminal Infringement Notices (CINs). Number of Criminal Infringement Notices (CINs) issued – 1 July 2010 to 31 January 2011

**Deface private premises s120(1) of the *Crimes Act 1900***

City:	0
Kingston:	0
Manuka:	0
Braddon:	0
Wanniassa:	0
Belconnen:	0
Other Areas:	5

**Deface public premises s120(1) of the *Crimes Act 1900***

City:	1
Kingston:	0
Manuka:	0
Braddon:	0
Wanniassa:	0
Belconnen:	0
Other Areas:	9

**Urinating in a public place s393A of the *Crimes Act 1900***

City:	79
Kingston:	13
Manuka:	0
Braddon:	2
Wanniassa:	2
Belconnen:	4
Other Areas:	20

**Fail to comply with noise abatement direction s394(2) of the *Crimes Act 1900***

City:	0
Kingston:	0
Manuka:	0
Braddon:	0

Wanniassa:	0
Belconnen:	0
Other Areas:	0

**Supply liquor to intoxicated person – other persons** s107 of the *Liquor Act 2010*

City:	1
Kingston:	0
Manuka:	0
Braddon:	0
Wanniassa:	0
Belconnen:	0
Other Areas:	0

**Abuse, threaten, intimidate staff** s108 of the *Liquor Act 2010*

City:	1
Kingston:	0
Manuka:	0
Braddon:	0
Wanniassa:	0
Belconnen:	0
Other Areas:	0

**Fail to leave premises when directed** s138 of the *Liquor Act 2010*

City:	1
Kingston:	0
Manuka:	
Braddon:	0
Wanniassa:	0
Belconnen:	0
Other Areas:	0

**Consume liquor at certain public places** s199 of the *Liquor Act 2010*

City:	42
Kingston:	2
Manuka:	0
Braddon:	9
Wanniassa:	1
Belconnen:	0
Other Areas:	2

**Supply liquor to intoxicated person – employee** s106(1&2) of the *Liquor Act 2010*

City:	0
Kingston:	0
Manuka:	0
Braddon:	0
Wanniassa:	0
Belconnen:	0
Other Areas:	0

**Fail to keep incident register** s132(1&2) of the *Liquor Act 2010*

City:	0
Kingston:	0
Manuka:	0
Braddon:	0
Wanniassa:	0
Belconnen:	0
Other Areas:	0

**Fail to keep license or permit at premises s141(1&2) of the *Liquor Act 2010***

City:	0
Kingston:	0
Manuka:	0
Braddon:	0
Wanniassa:	0
Belconnen:	0
Other Areas:	0

(5) These infringements refer to the Criminal Infringement Notices (CINs).

Table 3: Number of issued CINs by Offence Type – 1 July 2010 to 31 January 2011

Code	Offence	Penalty	1/07/2010 to 31/01/2011
001	Deface private premises s120(1) of the <i>Crimes Act 1900</i>	\$200	5
002	Deface public premises s120(1) of the <i>Crimes Act 1900</i>	\$200	10
003	Urinating in a public place s393A of the <i>Crimes Act 1900</i>	\$200	120
004	Fail to comply with noise abatement direction s394(2) of the <i>Crimes Act 1900</i>	\$200	0
005	Supply liquor to intoxicated person – other persons s107 of the <i>Liquor Act 2010</i>	\$100	1
006	Abuse, threaten, intimidate staff s108 of the <i>Liquor Act 2010</i>	\$220	1
007	Fail to leave premises when directed s138 of the <i>Liquor Act 2010</i>	\$440	1
008	Consume liquor at certain public places s199 <i>Liquor Act 2010</i>	\$110	56
009	Supply liquor to intoxicated persons – employee s106(1&2) of the <i>Liquor Act 2010</i>	\$220	0
010	Fail to keep incident register s132(1&2) of the <i>Liquor Act 2010</i>	\$220	0
011	Fail to keep license or permit at premises s141(1&2) of the <i>Liquor Act 2010</i>	\$110	0

(6) These infringements refer to the Criminal Infringement Notices (CINs). Refer to table 3 in (5) above.

**Public service—feedback and complaints  
(Question No 1404)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) In relation to Table 3.3 in Auditor-General's Report 7/2010, Management of Feedback and Complaints, what were the 22 suggestions made on-line during 2008-09.
- (2) What consideration did the department give to those suggestions referred to in part (1).
- (3) What feedback did the department give to the constituents who made the suggestions.
- (4) Which of the suggestions were implemented.
- (5) To what extent did implementation of those suggestions improve administrative efficiency or service delivery.
- (6) If some of the suggestions were not implemented, why not.

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

- (1) Canberra Connect received 22 suggestions during 2008-09. The suggestions were directed to the following agencies:
  - one (1) to the ACT Electoral Commission;
  - one (1) to the Australian Federal Police;
  - eight (6) to Worksafe ACT;
  - twelve (12) to the Emergency Services Agency (ESA);
  - two (2) to the Office of Industrial Relations (OIR).

**ACT Electoral Commission**

The suggestion received by the ACT Electoral Commission consisted of aggressive comments that were not directed at the Electoral Commission.

**Australian Federal Police**

The suggestion received by the Australian Federal Police was an incomplete email. It only contained a heading regarding posting confidential/important documents by registered mail. There was no further content to the email.

**Worksafe ACT**

The following is a breakdown of the suggestions received by Worksafe ACT:

- four (4) suggestions related to banning of consumer fireworks;
- one (1) suggestion regarding removing Family & Community Day from Melbourne Cup Day;
- one (1) recommendation from a supplier of their products to assist emergency workers in a heat wave to cool down.

**Emergency Services Agency**

The following is a breakdown of the suggestions received by the ESA:

- three (3) notifications related to ESA Website errors;
- five (5) requests to update the format and content of the ESA Website;
- two (2) suggestions related to advice for bushfire prevention and alert;

- one (1) request to clear blocked drains; and
- one (1) suggestion regarding allocation of Stimulus Package.

#### **Office of Industrial Relations**

The Department of Justice and Community Safety (JACS) received two (2) suggestions regarding Family & Community Day and Melbourne Cup Day. Responsibility for matters under the *Holidays Act 1958* moved from JACS to the Chief Minister's Department, accordingly the suggestions were forwarded to the OIR.

#### **(2) ACT Electoral Commission**

No further action was taken regarding this feedback.

#### **Australian Federal Police**

No further action was taken regarding this feedback.

#### **Worksafe ACT**

The suggestions regarding banning of consumer fireworks and removing Family & Community Day from Melbourne Cup Day were considered and implemented.

#### **Emergency Services Agency**

The ESA considers all feedback in the context of improving the ACT community's preparedness (resilience) for emergencies in compliance with the *Emergencies Act 2004*. The ESA actively encourages and responds to feedback from the ACT community. In addition to constituents being able to submit feedback via Canberra Connect, constituents can also submit feedback directly via the ESA Website.

#### **Office of Industrial Relations**

The OIR conducted a community consultation surrounding the future of Family & Community Day and its day of observance.

- (3) The 22 suggestions received did not require a response. A response is provided to feedback only when the constituent requests a response. If a response is requested, the relevant agency will follow up with a telephone call or email acknowledging the feedback and where appropriate providing the constituent with further advice regarding their feedback/query. Where feedback is received that is the responsibility of another agency – Canberra Connect is advised with a request to reallocate the query to the appropriate agency.

#### **(4) ACT Electoral Commission**

Not applicable.

#### **Australian Federal Police**

Not applicable.

#### **Worksafe ACT**

The suggestions regarding banning of consumer fireworks and removing Family & Community Day from Melbourne Cup Day were considered and implemented.

#### **Emergency Services Agency**

Of the twelve suggestions received by the ESA:

- three (3) related to ESA Website errors – these were addressed immediately;
- five (5) were requests to update the format/content of the ESA Website. The ESA Website is currently being reviewed with the intention of upgrading the portal for increased functionality and stability, taking into account the need to improve the effectiveness of the timely and accurate dissemination of emergency information and warnings;

- two (2) suggestions related to advice for bushfire prevention and alerts. No further action was taken regarding this feedback. A response was not requested in either instance and was not provided.
- one (1) request to clear a blocked drain in Kambah. This request was reallocated to Territory and Municipal Services to action
- one (1) suggestion related to reallocation of the Stimulus Package. No further action was taken regarding this feedback. A response was not requested and was not provided.

#### **Office of Industrial Relations**

The outcome of the consultation, and indirectly, the outcome of the two (2) suggestions, was an amendment to the *Holidays Act 1958* to permanently establish Family & Community Day as a public holiday of general observance in the ACT.

#### **(5) ACT Electoral Commission**

Not applicable.

#### **Australian Federal Police**

Not applicable.

#### **Worksafe ACT**

Not applicable - the suggestions were not related to improving efficiency or service delivery.

#### **Emergency Services Agency**

The ESA Website is currently being upgraded. It is envisaged that following the upgrade the functionality and stability of the website will be improved, which will enhance the effectiveness of the timely and accurate dissemination of emergency information and warnings.

#### **Office of Industrial Relations**

Not applicable - the suggestions were not related to improving efficiency or service delivery.

#### **(6) ACT Electoral Commission**

Not applicable.

#### **Australian Federal Police**

Not applicable.

#### **Worksafe ACT**

Worksafe ACT did not implement the recommendation from a supplier of their products to assist emergency workers in a heat wave to cool down. This was promotional/marketing material.

#### **Emergency Services Agency**

The ESA did not implement suggestions that would not contribute positively to the ESA's commitment to improving the ACT community's preparedness (resilience) for emergencies.

#### **Office of Industrial Relations**

Not applicable.

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### **Labor Party—election commitments (Question No 1405)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to development of a Privacy Act; if not, why not; if so, what work was undertaken towards the delivery of this commitment and how much was spent on that work for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1406)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011  
(*redirected to the Chief Minister*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment to reform the Self-Government Act; if not, why not; if so, what work was undertaken towards delivery of this commitment and how much was spent on that work for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

- 1) Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.
  - 2) Further advice is made available to members through the Budget Estimates and Annual Report hearing processes.
  - 3) Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).
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**Labor Party—election commitments  
(Question No 1407)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishment of a sentencing council; if not, why not; if so, what work was undertaken towards delivery of this commitment and how much was spent on this work for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010;
- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1408)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to streamlined court administration; if not, why not; if so, what work was undertaken towards delivery of this commitment and how much was spent on this work for (a) 2008-09, (b) 2009-10 and (b) the period 1 July to 31 December 2010.



- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1409)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to electronic filing; if not, why not; if so, what work was undertaken towards delivery of this commitment and how much was spent on that work, in (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Public service—feedback and complaints  
(Question No 1410)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) In relation to the Department of Justice and Community Safety Half Yearly Performance Report 2010-11, Output 1.5, Protection of Rights, what priority does the Human Rights Commission give to dealing with complaints compared to other activities such as preparing ad hoc self-initiated opinions or advice on matters of interest, undertaking inquiries and projects or conducting community education programs.
- (2) What is the estimated percentage of full-time equivalent staffing hours spent on concluding complaints.
- (3) What are the three projects that remain uncompleted as at 31 December 2010 under Accountability Indicator (b), *Human Rights Commission is respected as an agent of rights protection and service*.
- (4) When will those projects referred to in part (3) be completed.
- (5) Why must the client satisfaction measure for public advocacy services be reported only annually rather than progressively in the half yearly report, when there would be a continuing turnover of clients.
- (6) Why must the percentage of public guardianship clients requiring intensive decision making be reported only annually, when there would be a continuing turnover of such clients and when similar figures are published on an on-going basis for the percentage of public advocacy clients requiring individual or systemic advocacy.
- (7) Why did the percentage of public advocacy clients needing individual or systemic advocacy exceed the target by 220%.

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

- (1) The Human Rights Commission (Commission) comprises three Commissioners, each with responsibility for unique statutory functions, including considering complaints pursuant to the *Human Rights Commission Act 2005* and/or the *Discrimination Act 1991*. As complaints to the Commission are generally driven by concerns held by external individuals or agencies, and complaints handling is one of the Commission's Accountability Measures, the Commission continues to give complaint handling activities the highest priority.

All work undertaken by the Commission is in accordance with its statutory functions. Opinions or advice are prepared only in accordance with these functions and as resources permit. Additionally, the Human Rights Commissioner provides human rights legal policy advice to the Attorney-General and Chief Minister, often on request.

- (2) As at 31 December 2010, the Commission employed 21.05 FTE staff, of which 15.45 FTE undertook some degree of complaint handling activities. (The figure of 15.45 includes three FTE Commissioners.)

Approximately 70% (or 10.93 FTE) of total available staff time for these 15.45 FTE was occupied by complaint handling activities.

(3) The three projects that remained uncompleted as at 30 December 2010 were:

- *Development of Commission Tier 2 brochures* – promotional brochures for each of the functional areas of the Commission (Children & Young People; Disability; Discrimination; Health; Human Rights; Older People).
- *Finalisation of the Commission Policy & Procedures Manual* – a manual containing up-to-date policies and procedures for the whole of the Commission.
- *CYPC Colouring-In Book* – part of a range of community education tools designed by children of Canberra, and used by the Commission to engage with children, their families, and the people who work with children, during community education/consultation activities.

(4) The projects referred to in part (3) will be completed as follows:

- *Development of Commission Tier 2 brochures* – will be completed by 30 March 2011.
- *Finalisation of the Commission Policy & Procedures Manual* – due to increased complaint numbers and competing priorities this project is unlikely to be completed this financial year.
- *CYPC Colouring-In Book* – will be completed by 30 June 2011.

(5) “*Client satisfaction*” is measured by surveying a sample of all clients dealt with in a specified time frame twice a year. This financial year the survey was conducted in January and will be conducted in May 2011. Results for each period will be aggregated and reported at the end of this reporting period. Systems have been put in place so that alerts will be triggered in September and April each financial year in future to allow for a mid-year report.

(6) This performance measure is taken from a snapshot in time, over several months. The collection of data as to which clients “*qualify*” to be identified as *requiring intensive decision making*, is time consuming. Accordingly this is only done for certain months of the year. This financial year it was from the end of October 2010 to the end of January 2011, which will provide an annual measure.

*The percentage of public advocacy clients requiring individual or systemic advocacy*, on the other hand, is a measure of whether the client requires interventional action (at whatever level), not necessarily intensive, and this is measured in an on-going manner.

(7) When the PA ACT started collecting data in response to this performance measure in 2009, it was anticipated that about 20% of the 2,500 clients who are brought to the attention of the PA ACT might require advocacy. This was an estimate only. These people are **NOT** guardianship clients, but people with mental health and other complex disabilities, and children and young people, particularly those in the care of the Territory. At the end of financial year 2009/2010 it was clear that PA ACT were exceeding this target, and so an adjustment was made as to how PA ACT defined and measured *needing individual or systemic advocacy*.

The result was still considerably above the target. In the next financial year PA ACT will adjust the target as well as the measure and hopefully be able to predict the

outcome more accurately. These are, however, elements that are outside the control of the PA ACT.

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**Work safety—compliance  
(Question No 1411)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) In relation to the Department of Justice and Community Safety Half Yearly Performance Report 2010-11, Output 1.7, Regulatory Services and Accountability Indicator (b), first dash, % of individuals / businesses / workplaces that comply with relevant legislation, what was the number and percentage of businesses that had made compliant applications for liquor licences by 1 December 2010, in accordance with the Liquor Act 2010.
- (2) In relation to Accountability Indicator (b), second dash, % and number of workplaces that comply with OHS legislation, what was the number of compliant workplaces for the half year period.
- (3) In relation to Note 3, how does 158 compliant businesses constitute a high compliance percentage, when there are tens of thousands of workplaces in the ACT.

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

- (1) Indicator (b) measures compliance based on the number of inspections undertaken by the fair trading compliance team. Applications for liquor licences are not included in this data. As at 27 December 2010, 636 applications had been received for renewal of a liquor licence.
  - (2) 162
  - (3) High compliance relates to the sample of businesses inspected. The Workers compensation team inspected 179 businesses and 158 of these were compliant.
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**Labor Party—election commitments  
(Question No 1412)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011 (*redirected to the Minister for Territory and Municipal Services*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to care for nature reserves; if not, why not; if so, what projects and programs were undertaken towards the delivery of this commitment and how much was spent on each project or program for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.

- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1413)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011 (*redirected to the Minister for Territory and Municipal Services*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to conserving significant private reserves; if not, why not; if so, what projects and programs were undertaken towards delivery of this commitment and how much was spent on each project or program for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for the (a) period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Water—free grey water hose program  
(Question No 1414)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to extending the free grey water hose program; if not, why not; if so, how much money was spent on this program for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) How much money is committed for this program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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**Labor Party—election commitments  
(Question No 1415)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011 (*redirected to the Minister for Territory and Municipal Services*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to lower Cotter catchment plantings; if not, why not; if so, what projects and programs were undertaken towards the delivery of this commitment and how much money was spent on each project or program for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/iploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/iploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1416)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011 (*redirected to the Minister for Territory and Municipal Services*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to native tree and shrub regeneration in Central Molonglo; if not, why not; if so, what projects and programs were undertaken towards the delivery of this commitment and how much money was spent on each project or program for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/iploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/iploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1417)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17

October 2008, has the Government implemented its 2008 election commitment in relation to reducing salinity in waste water; if not, why not; if so, what projects and programs were undertaken towards the delivery of this commitment and how much money was spent on each project or program for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.

- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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### **Energy—solar water rebate (Question No 1418)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to the extension of the solar water rebate; if not, why not; if so, how much money was paid in rebates for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) How much money is committed for the payment of rebates for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.



Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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### **Labor Party—election commitments (Question No 1419)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to water audits and management plans; if not, why not; if so, how much money was spent on this program for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) How much money is committed for this program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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### **Labor Party—election commitments (Question No 1420)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to water efficient washing machine rebates; if not, why not; if so, how much money was spent on rebates for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) How much money is committed for the payment of rebates under this program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.

- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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### **Nature Conservation Act (Question No 1421)**

**Mrs Dunne** asked the Minister for the Environment, Climate Change and Water, upon notice, on 15 February 2011:

In what way does release of a discussion paper constitute the achievement of a review of the Nature Conservation Act by 31 December 2010 as claimed in the half-yearly performance report for 2010-11, Accountability Indicator (b) for Output 1.3.

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

The notes relating to the indicator stated that "preparatory work has commenced" and that "the outcomes of the review are expected to be released in 2010-2011." The Discussion Paper *Review of the Nature Conservation Act 1980 – Enhancing nature conservation in the Australian Capital Territory* (the Discussion Paper) is thus a key milestone in the Review process.

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### **Labor Party—election commitments (Question No 1431)**

**Mrs Dunne** asked the Minister for Children and Young People, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing a virtual child and family centre; if not, why not; if so, what work was undertaken towards delivery of this commitment and how much money was spent on that work for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d)

2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1432)**

**Mrs Dunne** asked the Minister for Children and Young People, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing two new childcare centres; if not, why not; if so, what work was undertaken, for both recurrent expenditure and capital works, towards delivery of this commitment and how much money was spent on that work for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What work projects and programs are planned to be undertaken, for both recurrent expenditure and capital works, towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure, for both recurrent expenditure and capital works, for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in December 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1433)**

**Mrs Dunne** asked the Minister for Children and Young People, upon notice, on 15 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing an on-line childcare information and vacancy portal; if not, why not; if so, what work was undertaken towards delivery of this commitment and how much money was spent on that work for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010.
- (2) What work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program for (a) the period 1 January to 30 June 2011 and (b) 2011-12.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**ACT Civil and Administrative Tribunal  
(Question No 1434)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

- (1) In relation to the ACT Civil and Administrative Tribunal, how many (a) civil and (b) administrative lodgements were made during 2009-2010.
- (2) How many (a) civil and (b) administrative matters were finalised during 2009-10.
- (3) For each of the (a) civil and (b) administrative matters referred to in part (2), what were the average attendances, using the criteria as outlined in Box 7.12 in the Productivity Commission's Report on Government Services 2011.
- (4) What were the average fees collected for (a) civil and (b) administrative matters during 2009-2010.
- (5) What was the percentage of fees collected as a proportion of recurrent expenditure for (a) civil and (b) administrative matters during 2009-10.
- (6) How many (a) civil and (b) administrative matters were pending as at 30 June 2010.

- (7) For each of the (a) civil and (b) administrative matters referred to in part (6), how many matters were pending for (i) more than 12 months and (ii) more than 24 months, as at 30 June 2010.
- (8) What was the total expenditure for 2009-2010.
- (9) What was the total court fees revenue collected for 2009-2010.

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

- (1) There were 1770 Civil Dispute and 82 Administrative lodgements.
- (2) There were 2173 Civil Dispute and 114 Administrative matters finalised.
- (3) The total attendance figure for Civil Disputes was 1228 and for Administrative matters was 479.

The average attendance for Civil Disputes was 1.70 and for Administrative matters was 1.33.

- (4) ACT Law Courts and Tribunal Administration do not record lodgement fees separately for different matter types of the ACT Civil and Administrative Tribunal (ACAT). The December 2010 Statement of Performance for ACT Law Courts and Tribunal Administration does provide an average cost for applications to the ACAT for matters where lodgement fees are payable. For the period 1 July 2010 to 31 December 2010 it was \$90. This statement of performance was tabled in the Legislative Assembly on 15 February 2011. This is the first time that this information has been reported for the ACT Civil and Administrative Tribunal.
- (5) ACT Law Courts and Tribunal Administration are not able to provide this information as fees and expenditure information is not kept about individual matters or matter types for the ACT Civil and Administrative Tribunal.
- (6) There were 864 Civil Dispute and 33 Administrative matters pending as at 30 June 2010.
- (7) There were 85 Civil Dispute matters pending for more than 12 months of which 2 were pending for more than 24 months.  
  
There were 7 Administrative matters pending for more than 12 months of which 3 were pending for more than 24 months.
- (8) The total expenditure for Output Class 3 Courts and Tribunal as reported in the Department of Justice and Community Safety 2009-10 Annual Report, Volume 2 page 26 was \$29.676 million. This total expenditure represents the full cost of ACT Courts and Tribunal Output Class, including an allocation of Departmental support and centrally managed expense items.
- (9) Total Court Fees (Territorial) revenue for 2009-10 was \$1,872,392 for all Courts (exclusive of the ACAT).

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## Water—Cotter to Googong transfer

**(Question No 1436)**

**Mrs Dunne** asked the Treasurer, upon notice, on 15 February 2011:

- (1) What was the cost, including the breakdown by element, for modifications to infrastructure to enable the transfer of water from the Cotter system to Googong Dam.
- (2) What were the operating costs of the Cotter to Googong water transfer for each month from November 2005 to November 2010.

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

- (1) I am advised by ACTEW that six projects, comprising construction of new infrastructure and modifications to existing infrastructure, were undertaken for the Cotter to Googong Bulk Transfer (CGBT) project. These include projects that were not directly related to the CGBT project but were included for operational efficiencies. The projects and their cost are as follows:

Interim Googong bypass	\$83,172
Googong bypass pipeline	\$6,292,827
Risk management water quality	\$724,546
Deakin/Hume pump station flow reversal	\$4,233,683
Cotter pump station upgrade	\$399,803
Stromlo water treatment plant augmentation	\$251,431
<b>Total cost</b>	<b>\$11,985,462</b>

- (2) I am advised by ACTEW that the costs associated with the operation of the CGBT project are included in the Utilities Management Agreement (UMA) which is a fixed price contract between ACTEW and ActewAGL. The UMA does not separately identify operating costs for the CGBT.

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**Legislative Assembly—questions on notice  
(Question No 1437)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 15 February 2011:

Why did it take from 23 December 2010, the date on which the Attorney-General signed the answer to question on notice No 1384, until 14 January 2011, a period of 22 days, for the answer to be received by the Assembly Secretariat.

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

While the answer was signed on 23 December 2010 it was not delivered prior to the end of 2010 due to the ACT Government Christmas shutdown period, which occurred from 25 December 2010 until 3 January 2011. I am advised that an officer of my department sought to deliver the question to the Assembly Secretariat on a number of occasions during the week of 4 to 7 January 2011, however on these occasions the Secretariat office

was unattended. The delivery was made as soon as practicable during the week of 10 to 14 January 2011.

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**Swimming pools—fencing  
(Question No 1440)**

**Ms Hunter** asked the Minister for Tourism, Sport and Recreation, upon notice, on 16 February 2011 (*redirected to the Minister for Planning*):

- (1) In relation to community consultation on new laws to strengthen pool fencing requirements, what are the elements of this consultation.
- (2) Has the consultation commenced; if so, when is it due to be completed.

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

- (1) The initial consultation on a discussion papers that canvasses options to strengthen swimming pool fencing legislation involves:
  - the release of a discussion paper – with consultation commencing from 7 March 2011. The discussion paper has been advertised on the ACT Government's Community Engagement website and the ACT Planning and Land Authority (ACTPLA) website, in the Canberra Times, the Chronicle newspaper and through key industry electronic newsletters.
  - briefings to Legislative Assembly Members.
  - targeted briefings to key industry groups including:
    - Royal Life Saving Society Australia
    - ACT Law Society
    - Swimming Pool and Spa Association – ACT Chapter
    - St Johns Ambulance Service – ACT
    - Property Council of Australia– ACT Division
    - Master Builders Association – ACT, and
    - Housing Industry Association – ACT.
  - a combination of a hard copy of the discussion paper, posters and fact sheets available at:
    - ACT public libraries;
    - Canberra Connect offices;
    - pre-schools and childcare centres managed through the ACT Department of Education and Training; and
    - swimming pool supply shops.
  - key industry groups to distribute the discussion paper in an electronic form to members (together with an article in the industry newsletter). The Royal Life Saving Society is to distribute the information to all of its 2,500+ members.
  - ACTPLA has information available both on its website and in hardcopy at its Customer Service offices in Dickson and Mitchell.

The Government will consider community and industry input received through the discussion paper and release an exposure draft of any proposed legislation for further consultation with the community and industry.

It is anticipated an exposure draft of any proposed legislation would be released in August 2011 for further comment and consultation.

It is anticipated that a final bill will be introduced into the Assembly in October 2011 for Assembly consideration.

- (2) Consultation on the discussion paper commenced on 7 March 2011 a six week period to 15 April 2011.

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**Budget—program management and funding  
(Question No 1443)**

**Mr Seselja** asked the Chief Minister, upon notice, on 16 February 2011:

- (1) What programs are managed and/or funded within each output under each output class for the Chief Minister's Department, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from Chief Minister's Department's ongoing business that I am not prepared to authorise.

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**Public service—annual leave  
(Question No 1446)**

**Mr Seselja** asked the Chief Minister, upon notice, on 16 February 2011:

- (1) What is the policy of the Chief Minister's Department as to the quantum of annual leave that staff can accumulate before being encouraged to take leave.
- (2) Do staff lose annual leave entitlements if they do not take leave; if so, what are the policy rules that apply in that circumstance.



- (3) What was the quantum of annual leave liability as at 31 December 2010 in both (a) hours and (b) dollars.

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

- (1) The Chief Minister's Department's policy and rules in relation to annual leave is outlined in the Chief Minister's Department Enterprise Agreement 2010-11 (Section F7, Annual Leave) available on the ACTPS Shared Services Website at:  
<http://www.shareservices.act.gov.au/docs/agreements/>
- (2) Staff do not lose their annual leave entitlements if they do not take leave.
- (3) The annual leave liability as at 31 December 2010 was:  
(a) 37,877.82 hours  
(b) \$2,370,216.88
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### **Public service—annual leave (Question No 1447)**

**Mr Seselja** asked the Chief Minister, upon notice, on 16 February 2011 (*redirected to the Minister for Land and Property Services*):

- (1) What is the policy of the Land Development Agency as to the quantum of annual leave that staff can accumulate before being encouraged to take leave.
- (2) Do staff lose annual leave entitlements if they do not take leave; if so, what are the policy rules that apply in that circumstance.
- (3) What was the quantum of annual leave liability as at 31 December 2010 in both (a) hours and (b) dollars.

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

- (1) The Land Development Agency's policy and rules in relation to annual leave is outlined in the Department of Land and Property Services Enterprise Agreement 2010-11 (Section F7) available on the ACTPS Shared Services Website at:  
<http://www.shareservices.act.gov.au/docs/agreements/>

- (2) Staff do not lose their annual leave entitlements if they do not take leave.

- (3) (a) 15,633.77 hours (b) \$815,193 (Liability including on-costs – \$1,020,515)

Note: given that substantial holiday leave is taken in January each year, these amounts would likely be considerably lower by the end of February 2011.

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### **Budget—program management and funding (Question No 1448)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on 16 February 2011:

- (1) What programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from Department of Land and Property Services' ongoing business that I am not prepared to authorise.

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#### **Public service—annual leave (Question No 1449)**

**Mr Seselja** asked the Minister for Land and Property Services, upon notice, on 16 February 2011:

- (1) What is the policy of the Department of Land and Property Services as to the quantum of annual leave that staff can accumulate before being encouraged to take leave.
- (2) Do staff lose annual leave entitlements if they do not take leave; if so, what are the policy rules that apply in that circumstance.
- (3) What was the quantum of annual leave liability as at 31 December 2010 in both (a) hours and (b) dollars.

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

- (1) The Department's policy and rules in relation to annual leave is outlined in the Department of Land and Property Services Enterprise Agreement 2010-11 (Section F7) available on the ACTPS Shared Services Website at:  
<http://www.shareservices.act.gov.au/docs/agreements/>
- (2) Staff do not lose their annual leave entitlements if they do not take leave.
- (3) (a) 30,005.52 hours (b) \$1,298,990.00 (Liability including on-costs – \$1,611,932.96)

Note: given that substantial holiday leave is taken in January each year, these amounts would likely be considerably lower by the end of February 2011.

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**Labor Party—election commitments  
(Question No 1450)**

**Mr Seselja** asked the Minister for the Environment, Climate Change and Water, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to the Household Energy Efficiency Rebate Scheme, specifically (a) rebates for energy efficient appliances or insulation, (b) assistance for low-income earners to increase energy efficiency, (c) rebates for renters who purchase more energy efficient appliances and (d) extension of the existing solar hot water rebate scheme; if not, why not; if so, for (i) 2008-09, (ii) 2009-10 and (iii) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of (a), (b), (c), and (d) and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12 what projects and programs are planned to be undertaken towards delivery of the rebate schemes listed in part (1) and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for the rebate schemes listed in part (1), why not.
- (4) What evaluation has been undertaken of these rebate schemes and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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**Labor Party—election commitments  
(Question No 1451)**

**Mr Seselja** asked the Minister for the Environment, Climate Change and Water, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the government implemented its 2008 election commitment in relation to introducing a number of new waste initiatives, specifically (a) free drop-off

facilities for electronic waste, (b) trial voucher system for the annual pick up of bulky waste, (c) reduction in landfill waste through a materials recycling facility and (d) development of a Composting Handbook to encourage the supermarket sector to recycle organic and biodegradable wastes; if not, why not; if so, for (i) 2008-09, (ii) 2009-10 and (iii) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of (a), (b), (c), and (d) and how much was spent on each project or program.

- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12 what projects and programs are planned to be undertaken towards delivery of each initiative listed in part (1) and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each of the initiatives listed in part (1), why not.
- (4) What evaluation has been undertaken of these waste reduction schemes and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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### **Public service—annual leave (Question Nos 1452 and 1453)**

**Mr Seselja** asked the Minister for the Environment, Climate Change and Water, upon notice, on 16 February 2011:

- (1) What is the policy of the Department of the Environment, Climate Change, Energy and Water as to the quantum of annual leave that staff can accumulate before being encouraged to take leave.
- (2) Do staff lose annual leave entitlements if they do not take leave; if so, what are the policy rules that apply in that circumstance.
- (3) What was the quantum of annual leave liability as at 31 December 2010 in both (a) hours and (b) dollars.

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

- (1) The Department of the Environment, Climate Change, Energy and Water's policy and rules in relation to annual leave is outlined in the Department of the Environment, Climate Change, Energy and Water Enterprise Agreement 2010 2011 (Section F7, Annual Leave), available on the ACTPS Shared Services Website at:

<http://www.sharedservices.act.gov.au/docs/agreements>.

- (2) Staff do not lose their annual leave entitlements if they do not take leave.
- (3) (a) 16,101.06 (b) \$1,070,872.11. Note: given that substantial holiday leave is taken in January each year, these amounts would likely be considerably lower by the end of February 2011.

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### **Budget—program management and funding (Question Nos 1454 and 1455)**

**Mr Seselja** asked the Minister for Environment, Climate Change and Water and the Minister for Energy, upon notice, on 16 February 2011:

- (1) What programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the Department of the Environment, Climate Change, Energy and Water's ongoing business that I am not prepared to authorise.

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### **Labor Party—election commitments (Question No 1457)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to investing in master plans for the Kingston and Dickson group centres; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010,

what work was undertaken towards delivery of this commitment and how much was spent on that work.

- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12 what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1458)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to promoting sustainable housing choices, specifically (a) informing Canberrans, through an information campaign, on how they can contribute to combating climate change through sustainable housing choices, (b) distributing three publications – Building better homes for Canberra's climate, Your Home: Renovator's Guide and Selecting a Greener, Better House – to help Canberrans build and live in more environmentally sustainable homes; if not, why not; if so, for (i) 2009-10 and (ii) the period 1 July to 31 December 2010, what work was undertaken towards delivery of each commitment listed in part (1) and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12 what work projects and programs are planned to be undertaken towards delivery of each commitment referred to in part (1), and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each of the commitments referred to in part (1) in each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Budget—program management and funding (Question No 1459)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 16 February 2011  
(*redirected to the Minister for Land and Property Services*):

- (1) In relation to the Land Development Authority, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The Land Development Agency (LDA) is a Territory authority, operating as a Public Trading Enterprise and does not prepare its budget on an output class or program basis.

However, data at an equivalent level is published in the Budget Papers, along with budgeted financial statements. More detailed information on activities is available in the annual report. This includes audited financial statements.

Data is not available in the form and at the level requested without diversion of significant resources from the LDA's ongoing business that I am not prepared to authorise.

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### **Budget—program management and funding (Question No 1460)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 16 February 2011:

- (1) In relation to the ACT Planning and Land Authority, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.

- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an output basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from ACT Planning and Land Authority's ongoing business that I am not prepared to authorise.

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### **Labor Party—election commitments (Question No 1463)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation the establishment of Innovation Canberra; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of the implementation of this program, and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)



**Labor Party—election commitments  
(Question No 1464)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment to provide funding for the Lighthouse Business Innovation trial of the Knowledge Connect intermediary access program; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12 what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10 and (b) 2010-11 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of this trial and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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**Labor Party—election commitments  
(Question No 1465)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment to provide additional funding for ScreenACT; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, how much additional funding has been provided to ScreenACT.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, how much additional funding is committed for ScreenACT.

- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-2012 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of the utilisation of this additional funding by ScreenACT and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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### **Labor Party—election commitments (Question No 1467)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to the expansion of the Trade Connect program; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of the expansion of this program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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**Labor Party—election commitments  
(Question No 1468)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to funding a feasibility study into the establishment of a Confucius Institute and increasing its support for the ACT Honorary Ambassador Program; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (4) What evaluations have been undertaken of the Confucius Institute and ACT Honorary Ambassador Program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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**Labor Party—election commitments  
(Question No 1469)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, how much money was spent on the CollabIT program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, how much money is committed for this program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.

- (4) What evaluation has been undertaken of CollabIT and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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### **Labor Party—election commitments (Question No 1470)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to funding a feasibility study for a Centre for Creative Enterprises and Cultural Production; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure did not equate to the Treasury costings for 2009-10, why not.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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**Labor Party—election commitments  
(Question No 1471)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment to fund a business marketing strategy in order to grow and sustain the market for the export of education services; if not, why not; if so, what work was undertaken towards delivery of this commitment and how much was spent on that work during the 2009-2010 financial year.
- (2) If actual and committed expenditure did not equate to the Treasury costings for the 2009-2010 financial year, why not.
- (3) What evaluation has been undertaken of the implementation of this program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs are routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf)

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**Labor Party—election commitments  
(Question No 1472)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 16 February 2011 (*redirected to the Minister for Planning*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment to fund Building Audits of certain commercial properties; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.

- (4) What evaluation has been undertaken of the implementation of this program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Budget—program management and funding (Question No 1473)**

**Mr Smyth** asked the Treasurer, upon notice, on 16 February 2011:

- (1) In relation to the Superannuation Provision Account, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

Please refer to Budget Paper 4, page 189.

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### **Budget—program management and funding (Question No 1474)**

**Mr Smyth** asked the Treasurer, upon notice, on 16 February 2011:

- (1) In relation to the Department of Treasury, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the

department/agency.

- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an output basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the Department of Treasury's ongoing business that I am not prepared to authorise.

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### **Budget—program management and funding (Question No 1475)**

**Mr Smyth** asked the Treasurer, upon notice, on 16 February 2011:

- (1) In relation to the ACT Insurance Authority, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

Please refer to Budget Paper 4, page 425.

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**Budget—program management and funding  
(Question No 1480)**

**Mr Smyth** asked the Treasurer, upon notice, on 16 February 2011:

- (1) In relation to ACTTAB Limited, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

- (1) ACTTAB does not have any output classes.
- (2) ACTTAB is a Territory-owned corporation.
- (3) Not applicable.
- (4) Not applicable.
- (5) Not applicable.
- (6) Not applicable.

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**Labor Party—election commitments  
(Question No 1482)**

**Mr Smyth** asked the Minister for Police and Emergency Services, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to investing in additional community fire units to ensure full coverage of high risk suburban areas; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of this commitment and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.



- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for this commitment, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Public service—annual leave (Question No 1483)**

**Mr Smyth** asked the Minister for Tourism, Sport and Recreation, upon notice, on 16 February 2011:

- (1) What is the policy of Exhibition Park Corporation as to the quantum of annual leave that staff can accumulate before being encouraged to take leave.
- (2) Do staff lose annual leave entitlements if they do not take leave; if so, what are the policy rules that apply in that circumstance.
- (3) What was the quantum of annual leave liability as at 31 December 2010 in both (a) hours and (b) dollars.

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

- (1) Staff of the Exhibition Park Corporation (EPC) are public servants employed under the Department of Territory and Municipal Services (TAMS). EPC adheres to the TAMS' Enterprise Agreement which states that employees and their managers must agree and implement leave management plans once their accumulated annual leave exceeds eight weeks.
- (2) No, but employees are encouraged to take excess leave as detailed in (1) above.
- (3) (a) 2,072 hours  
(b) \$90,144

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### **Budget—program management and funding (Question No 1484)**

**Mr Smyth** asked the Minister for Tourism, Sport and Recreation, upon notice, on 16 February 2011:

- (1) In relation to Exhibition Park Corporation, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in

Budget Paper 4 for the 2010-2011 Budget.

- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from ongoing business that I am not prepared to authorise.

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### **Budget—program management and funding (Question No 1486)**

**Mr Smyth** asked the Minister for Gaming and Racing, upon notice, on 16 February 2011:

- (1) In relation to the ACT Gambling and Racing Commission, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

- (1) The Gambling and Racing Commission has one output class (Gambling Regulation and Compliance) and there are no specific programs funded under this output class.
- (2) Not applicable.

- (3) Not applicable.
  - (4) Not applicable.
  - (5) Not applicable.
  - (6) Not applicable.
- 

**Labor Party—election commitments  
(Question No 1489)**

**Mr Hanson** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 16 February 2011 (*redirected to the Minister for Education and Training*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to increasing the number of Indigenous teachers and teacher's aides in our public schools, through scholarships, traineeships and other forms of support for career progression; if not, why not; if so, for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of this commitment and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for this commitment, why not.
- (4) What evaluation has been undertaken of this program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1495)**

**Mr Hanson** asked the Minister for Police and Emergency Services, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to conducting a trial of Suburban Policing Consultative Committees; if not, why not; if so, for (a) 2009-2010 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of the Suburban Policing Consultative Committees trial and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1496)**

**Mr Hanson** asked the Minister for Police and Emergency Services, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing the Community Safety Closed-Circuit Television Partnership Program; if not, why not; if so, for (a) 2009-2010 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.

- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (3) What evaluation has been undertaken of this program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Budget—program management and funding (Question No 1497)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011:

- (1) What programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the Department of Territory and Municipal Services' ongoing business that I am not prepared to authorise.

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### **Budget—program management and funding**

**(Question No 1498)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011:

- (1) In relation to the Shared Services Centre, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

Please see response to Question on Notice 1497.

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**Budget—program management and funding  
(Question No 1499)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011:

- (1) In relation to the ACT Public Cemeteries Authority, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

Please see response to Question on Notice 1497.

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**Labor Party—election commitments  
(Question No 1502)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011 (*redirected to the Minister for Land and Property Services*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment to upgrade the city centre precinct around the Sydney and Melbourne buildings; if not, why not; if so, for the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1503)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to the upgrade of town and district parks, inclusive of Black Mountain Peninsula District Park, Eddison Park, Weston Park, Tuggeranong District Park and Haig Park; if not, why not; if so, for the period 1 July to 31 December 2010, what projects and programs were undertaken towards delivery of this commitment and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did

not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/iploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/iploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1504)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to upgrading local shopping centres, inclusive of Waramanga, Lyons, Red Hill, Farrer, Banks, Scullin, Lyneham, Charnwood, Theodore, Chapman, Cook, Griffith, and Torrens; if not, why not; if so, for the period 1 July to 31 December 2010, what projects and programs were undertaken towards delivery of this commitment and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/iploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/iploads/ot/election_commitments_report.pdf).

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**Yarralumla Nursery—staff  
(Question No 1506)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011:

- (1) How many staff are employed at the Yarralumla Nursery on a (a) full-time, (b) part-time or (c) casual basis.
- (2) How much is the total salary of all employees.
- (3) How many of the staff listed in part (1) have been made redundant this year.
- (4) What were the reasons behind the redundancies listed in part (3).

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

- (1) As at 25 February 2011, Yarralumla Nursery has:
    - (a) 18 full time employees (15 permanent and 3 temporary);
    - (b) 9 part time employees; and
    - (c) 5 casual employees.
  - (2) The total salary budget for the 2010-11 financial year for Yarralumla Nursery is \$1,415,226.
  - (3) None.
  - (4) Not applicable.
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**Environment—recycling e-waste  
(Question No 1507)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011:

- (1) In relation to the free disposal for an e-waste scheme held on 15 and 16 August 2010,
  - (a) what was the total cost of the scheme and (b) how much of the total cost was borne by the Territory.
- (2) How many items in total were dropped off for recycling.
- (3) How were the items disposed of and where.

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

No free e-waste scheme was held on 15 and 16 August 2010. Such a scheme was, however, held on 15 and 16 August 2009. The answers below refer to the 2009 event.

- (1) (a) As the scheme was a joint undertaking between the ACT Government, the Queanbeyan Council and Apple Pty Ltd, total cost of the scheme is not known.
- (b) The total cost to the Territory was \$5,592.73.

- (2) Data on the number of items dropped off for recycling was not recorded. 500 tonnes of e-waste from 10,700 vehicles that presented over the two days were recycled.
  - (3) Apple Pty Ltd that Sims E Recycling dismantled, separated and recycled items in Sydney.
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**Budget—program management and funding  
(Question No 1509)**

**Mr Coe** asked the Minister for Transport, upon notice, on 16 February 2011:

- (1) What programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

Please see response to Question on Notice 1497.

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**Labor Party—election commitments  
(Question No 1510)**

**Mr Coe** asked the Minister for Transport, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to introducing a Free Tourist Route between the major attractions in the Parliamentary Triangle, Campbell and City Centre; if not, why not; if so for (a) 2009-2010 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/iploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/iploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1511)**

**Mr Coe** asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to introducing a lunchtime bus service between the Parliamentary Triangle, Campbell and City Centre; if not, why not; if so, for (a) 2009-2010 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/iploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/iploads/ot/election_commitments_report.pdf).

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### **Motor vehicles—accidents (Question No 1512)**

**Mr Coe** asked the Minister for Police and Emergency Services, upon notice, on 16 February 2011:

- (1) How many motor vehicle accidents in the ACT, resulting in serious injury have

occurred as a result of speeding in excess of (a) 10 km over the designated speed limit, (b) 20 km over the designated speed limit and (c) 25 or more km over the designated speed limit.

- (2) How many of the accidents listed in part (1) resulted in fatalities.
- (3) Where did the accidents listed in part (1) occur.
- (4) In relation to the database used to record accident information, (a) what information (data fields) are included, (b) for how long have accidents been recorded in this database, (c) which area of Government is responsible for the database and who has access to it, (d) how many accidents are listed in the database and (e) what is the policy for how serious an accidents must be before it is recorded in the database.

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

- (1) The speed that vehicles were travelling at the time of a collision is extremely difficult to determine, and can only be determined using a combination of complex collision investigation and reconstruction techniques. Due to the expertise and technology required to conduct such an investigation ACT Policing (ACTP) applies these techniques to collision investigations on a priority basis. Should speed be of particular relevance to a collision investigation, additional attention will be paid to this aspect. However, ACTP do not routinely record estimated speeds of vehicles in collision reports. Of those collisions occurring in 2010 resulting in death, collision investigators recorded speed as a factor contributing to the collision (either on its own or in combination with other factors) on five (5) occasions. In 2011, the ACT road toll currently stands at two. Speed has been recorded as a factor in one of these fatalities by the collision investigators.
- (2) For the year 2010, there were 15 fatal collisions resulting in 18 deaths. To date in 2011 there have been two (2) fatal collisions resulting in two (2) deaths.
- (3) The spreadsheet below has a breakdown of accidents reported to Police between January 2010 and February 2011 by suburb.

*(A copy of the spreadsheet is available at the Chamber Support Office).*

- (4) The responses to question (4) are as follows:
  - (a) There are numerous fields. The main fields are *Date and Time of Incident*, *Offences*, *Victim details*, *Complainant details* and an entry where general details may be entered. The general method of reporting a collision where police attendance is not required is on-line through a 'smart form'. This enables members of the community to report a collision from either the ACTP web site or from the Canberra Connect web site and complete the form. When the member of the public submits the form, a de-identified copy goes to TAMS for statistical recording and a copy goes to ACTP. The forms are stored by Canberra Connect in a secure server.
  - (b) The internet based system has been in place since December 2010. All previous reports were hard copies so there is limited data in the new system. It should also be noted that these are self report forms so there are no questions regarding speeding or fault. A copy of the report form, including all data fields can be found at this link: <https://forms.act.gov.au/smartform/public/FormServer?formId=1021>.

Details of major collisions, where police attend, including those resulting in injury or death are recorded by police in the PROMIS (Police Realtime Online Management Information System). Major collisions have been recorded on PROMIS since its inception in the late 1990s.

- (c) The Australian Federal Police (AFP) is responsible for the database, and AFP members have access.
- (d) The spreadsheet below shows reported motor vehicle collisions with injury for the period January 2010 to February 2011. The actual number of accidents recorded in PROMIS since inception is significant.

*(A copy of this table is available at the Chamber Support Office).*

- (e) All vehicle collisions that occur within the ACT must be reported to police within 24 hours. Any collision where Police attend is recorded in PROMIS.

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### **Budget—program management and funding (Question No 1515)**

**Mr Coe** asked the Minister for Disability, Housing and Community Services, upon notice, on 16 February 2011:

- (1) What programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the Department's ongoing business that I am not prepared to authorise.

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**Labor Party—election commitments  
(Question No 1516)**

**Mr Coe** asked the Minister for Disability, Housing and Community Services, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing the Building Housing Partnerships program; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of the implementation of this program and can the Minister provide a copy of this evaluation.

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

- (1) The Building Housing Partnerships Program has been implemented in the ACT and commenced operation on 1 November 2010.
  - (a) No funding was received in 2009-2010 as the program was in the development and procurement stage.
  - (b) Funding for the period 1 July to 31 December 2010 was \$181,917 (GST exclusive)Implementation of the program involved community consultation during 2009-10. Feedback received from this process was used to develop the Building Housing Partnerships – Supportive Tenancy Service.
- (2) The Building Housing Partnerships- Supportive Tenancy Service will continue to be delivered in the periods 1 January -30 June 2011 and 2011-2012.
  - (a) The Service has been allocated \$375,834 (GST exclusive) funding for the period 1 January - 30 June 2011
  - (b) The Service has been allocated \$689,906 (GST exclusive) funding for the period 2011-2012.
- (3)
  - (a) The Treasury costing for the Building Housing Partnerships program in 2008 was \$750,000 over a three year period. The total costing of the Building Housing Partnerships- Supportive Tenancy Service for the three year period 2009-10 to 2011-12 is expected to be \$1,253,657 (GST exclusive). This exceeds the Treasury costing provided in 2008.

The funding allocated to the program in the 2008 Treasury costings has been

combined with Commonwealth Government funding to create the larger Supportive Tenancy Service.

(b) see answer to (a)

(c) see answer to (a)

- (4) The 2009-2010 ACT National Partnership Agreement on Homelessness Annual Report shows that the ACT has achieved or exceeded all performance indicators required for the Building Housing Partnerships program.

An Evaluation Framework for the new service is currently being developed and is expected to be finalised in early 2011.

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### **Labor Party—election commitments (Question No 1517)**

**Mr Coe** asked the Minister for Disability, Housing and Community Services, upon notice, on 16 February 2011 (*redirected to the Chief Minister*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment to establish a Housing Options and Moving Inquiries Service; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of the implementation of this program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1518)**

**Mr Coe** asked the Minister for Disability, Housing and Community Services, upon notice, on 16 February 2011 (*redirected to the Minister for Land and Property Services*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing a homeshare program; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of the implementation of this program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1520)**

**Mr Coe** asked the Minister for Disability, Housing and Community Services, upon notice, on 16 February 2011 (*redirected to the Attorney General*):

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing a Rental Bidding Awareness Campaign; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.



- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for each year, why not.
- (4) What evaluation has been undertaken of the implementation of this program and can the Minister provide a copy of this evaluation.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The Report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1523)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to providing 100 new Australian School Based Apprentices per year; if not, why not; if so, for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of this commitment and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for this commitment, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments**

**(Question No 1524)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to ensuring reading, writing and maths remain a priority in our schools and bridging the gap between the highest and lowest achievers, specifically (a) providing specialist literacy and numeracy teachers for every cluster of schools, (b) increasing access to special programs for children who speak English as a second language and (c) establishing the National Capital Literacy and Learning Centre; if not, why not; if so, for (i) 2008-09, (ii) 2009-10 and (iii) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of each of the initiatives listed above and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of each of each initiative listed in part (1) and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each of the initiatives listed in part (1), why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1525)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to building a performing arts centre for students of Canberra College and the Woden community; if not, why not; if so, for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of this commitment and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.

- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for this commitment, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1528)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing and providing funding for a Non-Government School Equity Fund; if not, why not; if so, for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of this commitment and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for this commitment, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1529)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to nurturing our gifted and talented students, specifically (a) providing a grant to the Gifted and Talented parent network to assist in supporting parents of high-achieving students, (b) covering the costs of educational and psychological testing when there is a need to identify gifted and talented students at a preschool or kindergarten level and (c) providing extra support for schools to identify gifted and talented students and provide specialist programs, and extension classes for such students; if not, why not; if so, for (i) 2008-09, (ii) 2009-10 and (iii) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of each initiative referred to in part (1) and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of the initiatives referred to in part (1) and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for the initiatives referred to in part (1), why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1531)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to (a) improving information and communication technology infrastructure in public and non-government schools and (b) establishing an Innovative, Sustainable, Practical, Interactive Research in Education (InSPIRE) Centre; if not, why not, if so, for (i) 2008-09, (ii) 2009-10 and (iii) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of each of initiative listed

above and how much was spent on each project or program.

- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of each of initiative listed in part (1) and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for each of the initiatives listed in part (1), why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1532)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to increasing the number of teachers and lowering class sizes across all years of schooling in the ACT; if not, why not; if so, for (i) 2008-09, (ii) 2009-10 and (iii) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of this commitment and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for this commitment, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1533)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to improving the quality of teaching in the ACT, specifically (a) upgrading School Business Managers and (b) strengthening the volunteer programs in ACT public schools; if not, why not; if so, for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of the initiatives listed above and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of the initiatives listed in part (1) and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for the initiatives referred to in part (1), why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1534)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to improving the landscaping and play surfaces in schools across Canberra; if not, why not; if so, for (a) 2008-09, (b) 2009-10 and (c) the period 1 July to 31

December 2010, what projects and programs were undertaken towards the delivery of this commitment and how much was spent on each project or program.

- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for this commitment, why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available in the Mid-Term Report on Achievement of Election Commitments released in October 2010. The report is available at [www.chiefminister.act.gov.au/uploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/uploads/ot/election_commitments_report.pdf).

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### **Budget—program management and funding (Question No 1536)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 16 February 2011:

- (1) What programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

- (1-6) The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the Education and Training Department's ongoing business that I am not prepared to authorise.

**Labor Party—election commitments  
(Question No 1540)**

**Mr Doszpot** asked the Minister for Tourism, Sport and Recreation, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to the (a) the upgrade and expansion of the Woden Gymnastics Club and (b) the redevelopment of the Belconnen Magpies AFL Club's Kippax fields; if not, why not; if so, for (i) 2008-09, (ii) 2009-10 and (iii) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of each commitment referred to above and how much was spent on each project or program.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of the commitments referred to in part (1) and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for the commitments referred to in part (1), why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/iploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/iploads/ot/election_commitments_report.pdf).

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**Labor Party—election commitments  
(Question No 1541)**

**Mr Doszpot** asked the Minister for Tourism, Sport and Recreation, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to motorsport funding, specifically (a) investment in a motorsport strategy for the promotion and growth of motorsport in the ACT, (b) the upgrade and refurbishment of Fairbairn Motorsport Park and surrounds, (c) the establishment of a motorsport investment fund to provide further support for motorsport organisations and (d) the development of an off-road riding area for motorbike riders if not, why not; if so, for (i) 2008-09, (ii) 2009-10 and (iii) the period 1 July to 31 December 2010, what projects and programs were undertaken towards the delivery of each commitment referred to above and how much was spent on each project or program.



- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what projects and programs are planned to be undertaken towards delivery of the commitments referred to in part (1) and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2008-09, (b) 2009-10, (c) 2010-11 and (d) 2011-12 did not equate to the Treasury costings for the commitments referred to in part (1), why not.

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

Details of the implementation of Government programs is routinely provided in relevant Budget papers, Annual Reports and the mid-year Budget Review.

Further advice is made available to members through the Budget Estimates and Annual Report hearings processes.

Relevant information is also available to members in the Mid-Term report on Achievement of Election Commitments released in October 2010. The report is available [www.chiefminister.act.gov.au/iploads/ot/election\\_commitments\\_report.pdf](http://www.chiefminister.act.gov.au/iploads/ot/election_commitments_report.pdf).

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### **Labor Party—election commitments (Question No 1545)**

**Mr Doszpot** asked the Minister for Disability, Housing and Community Services, upon notice, on 16 February 2011:

- (1) In relation to ACT Treasury's Summary of Labor Election Commitments dated 17 October 2008, has the Government implemented its 2008 election commitment in relation to establishing the Flexible Support Fund to provide grants to people with a disability and carers; if not, why not; if so, for (a) 2009-10 and (b) the period 1 July to 31 December 2010, what work was undertaken towards the delivery of this commitment and how much was spent on that work.
- (2) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.
- (3) If actual and committed expenditure for (a) 2009-10, (b) 2010-11 and (c) 2011-12 did not equate to the Treasury costings for this commitment, why not.

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

- 1) Yes, the Government has implemented its 2008 election commitment in relation to establishing the Flexible Support Fund (the Fund).
  - a) In 2009-10 the ACT Government committed \$500, 000 recurrent to the Fund with the aim of bringing together existing grant programs into a single fund. This included \$300,000 pa for Quality of Life grants and \$200, 000 pa for innovation grants. Grant processes are undertaken once in a financial year.

### *Quality of Life Grants*

A Quality of Life application process commenced on 6 June 2009 and closed on 17 July 2009. Disability ACT received 211 applications at a total of \$720, 000. An eight member assessment panel was appointed including representatives from community agencies, parent and carer groups and people with disability. Out of this process, 87 Quality of Life grants were awarded to individuals totalling \$301, 815.

### *Innovation Grants*

An Innovation Grant process commenced in November 2009 and closed on 16 December 2009. An information session was held on 18 November 2009 and interested organisations across the ACT were invited to submit proposals. An assessment panel was set up comprised of Disability ACT staff and community representatives. A total of 33 applications were received to the value of \$798, 965. There were 10 Innovation grants awarded to organisations and individuals to the amount of \$192, 567.

The 2009-10 Annual report for the Department of Disability Housing and Community Services (Volume 2, pp 285-286) outlines the recipients, the purpose for which the grant was made and the amount funded.

b) Between the period 1 July to 31 December 2010, a Grant application process was commenced on 26 June 2010 and closed on 30 July 2010. Disability ACT received 259 applications for Quality of Life Grants to the value of \$852, 981 and 33 Innovation Grant applications to the value of \$1.182 million.

### *Quality of Life Grants*

Due to the large number of Quality of Life applications, a nine member assessment panel was appointed including representatives from community agencies, parent and carer groups and people with disability.

Half of the funding for the Quality of Life Grants was set aside for equipment including wheelchairs, motor vehicles, hearing aids, bicycles and hoists. Other items and services that were funded included communication software such as iPods and support services.

119 applications for Quality of Life Grants were allocated to a total of \$317, 000.

### *Innovation Grants*

Innovation Grants up to a maximum of \$50 000 each were available for individuals and organisations to support once-off strategic projects or initiatives that seek to do things differently for vulnerable people, including those with disabilities. A panel comprising Disability ACT staff and community representatives assessed the applications. As at 31 December 2010, seven applications were funded at a cost of \$191,961.

2)

a) It is anticipated that the next Grant process for the Fund will commence in or around June 2011 for 2011-12.

b) Disability ACT will continue to allocate the Fund for 2011-2012 through the funding rounds of Quality of Life and Disability ACT Innovation Grants.

- 3) Please see the following tables for actual and committed amounts for Fund for 2009-10 and 2010-11. In 2009-10 a total of \$494,382 was spent with a residual of \$5618. This amount was too small to meet any outstanding applications. In 2010-11 a total of \$491,961 was spent with a residual of \$8039. This amount was too small to meet any outstanding applications. For 2011-12 the Fund will be awarded within the budget appropriated for the Fund.

	Quality of Life committed	Quality of Life Actual	Innovation Grants committed	Innovation Grants actual
2009-10	\$300,000	\$301,815	\$200,000	\$192,567
2010-11	\$300,000	\$300,000	\$200,000	\$191,961

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### **Budget—program management and funding (Question No 1552)**

**Mrs Dunne** asked the Treasurer, upon notice, on 16 February 2011:

- (1) In relation to ACTEW Corporation, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

- (1) ACTEW does not have any output classes.
  - (2) ACTEW is a Territory-owned corporation.
  - (3) Not applicable.
  - (4) Not applicable.
  - (5) Not applicable.
  - (6) Not applicable.
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**Budget—program management and funding  
(Question No 1554)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 16 February 2011:

- (1) In relation to the Department of Justice and Community Safety, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the Department of Justice and Community Safety's ongoing business that I am not prepared to authorise.

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**Budget—program management and funding  
(Question No 1555)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 16 February 2011:

- (1) In relation to the Public Trustee for the ACT, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the relevant agency's ongoing business that I am not prepared to authorise.

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**Budget—program management and funding  
(Question No 1557)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 16 February 2011:

- (1) In relation to the Legal Aid Commission (ACT), what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.
- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the relevant agency's ongoing business that I am not prepared to authorise.

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**Budget—program management and funding  
(Question No 1558)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 16 February 2011:

- (1) In relation to the Independent Competition and Regulatory Commission, what programs are managed and/or funded within each output under each output class for the department/agency, as listed in Budget Paper 4 for the 2010-2011 Budget.
- (2) If no output or output classes, can the Minister list the programs applicable for the department/agency.

- (3) What is the budgeted cost for each program for 2010-2011.
- (4) How much was spent on each program during the period 1 July 2010 to 31 December 2010.
- (5) What was the budgeted full-time equivalent (FTE) staffing for each program for 2010-2011.
- (6) What was the actual FTE staffing for each program as at 31 December 2010.

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

The ACT Government prepares its budget on an outputs basis. Data at that level is published in the Budget Papers, along with budgeted financial statements for agencies. More detailed information on activities within outputs is available in annual reports. This includes audited financial statements. Data is not available in the form and at the level requested without diversion of significant resources from the relevant agency's ongoing business that I am not prepared to authorise.

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**Public service—annual leave  
(Question No 1561)**

**Mrs Dunne** asked the Minister for Disability, Housing and Community Services, upon notice, on 16 February 2011:

- (1) What is the policy of the Department of Disability, Housing and Community Services as to the quantum of annual leave that staff can accumulate before being encouraged to take leave.
- (2) Do staff lose annual leave entitlements if they do not take leave; if so, what are the policy rules that apply in that circumstance.
- (3) What was the quantum of annual leave liability as at 31 December 2010 in both (a) hours and (b) dollars.

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

- (1) The Department's policy and rules in relation to annual leave is outlined in the Department of Disability, Housing and Community Services Enterprise Agreement 2010 – 2011 (Section F – Annual Leave) available on the ACTPS shared services website at: <http://www.shareservices.act.gov.au/docs/agreements/>
  - (2) Staff do not lose their annual leave entitlements if they do not take leave.
  - (3) The quantum annual leave liability as at 31 December 2010 was:
    - (a) 184,635 hours; and
    - (b) \$9,343,580. Note: given that substantial holiday leave is taken in January each year, these amounts would likely be considerably lower by the end of February 2011.
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**Women—safety**  
**(Question No 1562)**

**Mrs Dunne** asked the Minister for Women, upon notice, on 16 February 2011:

- (1) Has the government developed a promotional campaign Respect and Responsibility to support women's safety at major events as promised in the ACT Labor 2008 Election Policy; if not, why not.
- (2) For (a) 2009-2010 and (b) the period 1 July to 31 December 2010, what work was undertaken towards delivery of this commitment and how much was spent on that work.
- (3) For (a) the period 1 January to 30 June 2011 and (b) 2011-12, what work projects and programs are planned to be undertaken towards delivery of this commitment and how much money is committed for each project or program.

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

- (1) The ACT Government will continue to work with the Commonwealth Government to implement the National Plan to Reduce Violence against Women and their Children which was endorsed by all states and territories on 15 February 2011. An action of the National Plan includes the national social marketing campaign on respectful relationships 'The Line'.

At a local level, government agencies have collaborated to pilot Women's Safety Audits at the Multicultural Festival and the Australia Day Live Concert. Safety audits focus on preventing sexual harassment and all forms of assault by increasing women's safety in public places and at public events.

- (2) (a) In 2009-2010, ACT government officials worked with the Commonwealth, States and Territory Governments to develop the National Plan including strategies for promoting respectful relationships. The cost of this work was met within existing budgetary resources.  
  
 (b) In the period 1 July to 31 December 2010, the Office for Women collaborated with relevant ACT government agencies and the Ministerial Advisory Council on Women to promote the use of women's safety audits and developed Women's Safety Audit Guidelines including facts sheets and women's safety audit evaluation forms and a checklist. The cost of this work was met within existing budgetary resources.
- (3) (a) During the period 1 January to 30 June 2011, the ACT Prevention of Violence against Women and Children Strategy will be developed and will include respectful relationships strategies which align with the National Plan. Women's Safety audits were also conducted at two major events - the Multicultural Festival and the Australia Day Live Concert.  
  
 (b) The launch of the ACT Prevention of Violence against Women and Children Strategy in 2011-12 will include actions to progress this commitment. Funding will be determined in the Budget context.

**National Multicultural Festival  
(Question No 1564)**

**Ms Bresnan** asked the Minister for Multicultural Affairs, upon notice, on 17 February 2011:

- (1) What groups are permitted and/or invited to hold a stall at the Multicultural Festival on the Saturday.
- (2) Who decides what groups are permitted and/or invited to hold a stall on the Saturday.
- (3) Are the groups permitted and/or invited to hold a stall on the Sunday (Contact Canberra) the same as those for the Saturday.
- (4) Are political parties permitted to hold a stall on both the Saturday and Sunday.

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

- (1) Community and commercial organisations can respond to advertisements to conduct a stall on Saturday. They need to respond by the closing date to secure a stall for Saturday.
- (2) All groups that responded before the deadline were provided with a stall on Saturday. Community and commercial organisations that did not respond before the deadline and could not be accommodated in the limited stalls for Saturday are offered Friday night and/or Sunday.
- (3) All applications for stalls for the three days are considered. Therefore it is possible for groups to request to hold a stall over all or any of the three days of the Festival.
- (4) Yes.

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**Public service—annual leave  
(Question No 1565)**

**Mr Doszpot** asked the Minister for Education and Training, upon notice, on 17 February 2011:

- (1) What is the policy of the Department of Education and Training as to the quantum of annual leave that staff can accumulate before being encouraged to take leave.
- (2) Do staff lose annual leave entitlements if they do not take leave; if so, what are the policy rules that apply in that circumstance.
- (3) What was the quantum of annual leave liability as at 31 December 2010 in both (a) hours and (b) dollars.

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

- 1) Employees are encouraged to use their annual leave in the year that it accrues. In general, if an employee has accrued two years worth of annual leave credits, the employee and relevant manager will implement a plan to ensure the employee's



accrued leave credit will not exceed two and a half years of annual credit. The Chief Executive may direct an employee who has accrued two and a half years worth of annual leave credit to take annual leave to the extent that the employee's annual leave credit exceeds two and a half years worth of credit.

Department of Education and Training rules in relation to annual leave are outlined in the *ACT Department of Education and Training Staff Enterprise Agreement 2010-2011* (section F7, Annual Leave) and the *ACT Department of Education and Training Teaching Staff Agreement 2009-2011* (section 51, Annual Leave). Both documents are available at <http://www.shareservices.act.gov.au/docs/agreements/>.

- 2) Staff do not lose their annual leave entitlements if they do not take leave.
- 3) (a) 553469 hours as at 31 December 2010. (b) \$26.0 million at 31 December 2010. It should be noted that 31 December 2010 is a high point for annual leave liability as it is immediately prior to the period when the majority of leave is taken by teachers and departmental staff.

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### **Parks Conservation and Lands—employees (Question No 1566)**

**Mr Rattenbury** asked the Minister for Territory and Municipal Services, upon notice, on 17 February 2011:

- (1) Can the Minister provide a breakdown of program spending for Parks Conservation and Lands for (a) 2009-2010 and (b) 2010-2011.
- (2) How many rangers were employed across the ACT's nature reserves and national parks in 2009-2010.
- (3) How many substantive ranger positions are there across the ACT's nature reserves and national parks.
- (4) How many rangers are currently employed, as at 15 February 2011.
- (5) How many rangers are employed on (a) a part time basis and (b) temporary contracts.
- (6) Can the Minister provide details of the number and duration of those temporary contracts referred to in part (5)(b).
- (7) Have any contracts (a) been terminated or expired and (b) commenced, since 1 December 2010.
- (8) Has there been any internal investigations undertaken recently in response to a story on page one of the The Canberra Times on 8 January 2011 regarding resources available to Canberra's nature reserves; if so, who requested that investigation and what was the purpose of it.
- (9) Did the investigation referred to in part (8) include inspection of phone and email records of current or previous employees.
- (10) What were the findings of the investigation referred to in part (8).

- (11) What, if any, actions were taken as a result of the investigation referred to in part (8).

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

- (1) (a) A breakdown of spending for all programs in Parks, Conservation and Lands (PCL) for the 2009-10 financial year is in the table following. Responses in each case reflect the total expense associated with program delivery, but do not include one-off capital works allocations for the particular year.

<b>Program</b>	<b>Amount (\$)</b>
Program Coordination	4,855,786
Parks and Reserves	12,643,472
City Places and Open Space	26,562,273
Bushfire and Forestry Estate	14,787,082
Tidbinbilla Nature Reserve	3,184,877
Organisational Support	17,386,923
Design and Development	2,839,239
Research and Planning	2,021,852
<b>TOTAL</b>	<b>84,281,504</b>

- (b) Program spending for 2010-11 cannot be provided until after the end of the financial year.
- (2) TAMS supports a total of 37 FTE ranger staff – the number of rangers employed at any one time will vary slightly above and below this figure through the year as staff movements and operational requirements dictate. Of the 37 rangers currently employed, five are on a temporary contract. As rangers move within the organisation, the number of temporary contracts can change regularly.
- (3) 37
- (4) 32
- (5) (a) 3
- (b) 3
- (6) The duration of the temporary contracts referred to in part (5)(b) are:
- Contract 1: 27/09/2010 to 30/06/2011 (9 months 3 days)
- Contract 2: 10/01/2011 to 30/06/2011 (6 months and 20 days)
- Contract 3: 01/01/2011 to 31/12/2011 (12 months)
- (7) (a) Since 1 December 2010, one contract has been terminated and three contracts expired and were not renewed. Two other contracts expired and were renewed.
- (b) Three contracts have commenced since 1 December 2010. This includes the two contracts mentioned in 7 (a) above that expired and were renewed.
- (8) No.
- (9) Not applicable.
- (10) Not applicable.
- (11) Not applicable.

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**ACT Policing—specialist response and security business unit  
(Question No 1568)**

**Mr Rattenbury** asked the Minister for Police and Emergency Services, upon notice, on 17 February 2011:

- (1) How many of the staff employed in the Specialist Response and Security Business Unit of ACT Policing are currently operational members of the Specialist Response and Security Tactical Response (SRSTR) teams, that is, excluding traffic officers and administrative staff.
- (2) How many SRSTR teams are in operation.
- (3) To which categories of incident do the SRSTR teams provide a first response, that is, in what circumstances is a SRSTR team dispatched immediately as opposed to a general duty police team.
- (4) In what situations are general duty police officers attending an incident required to call in assistance from a SRSTR team.
- (5) Are the SRSTR teams on 24 hour call out readiness; if not, what times of the day are they able to respond to incidents.
- (6) Do police teams responding to incidents, both SRSTR and general duty police, have defined time limits within which they are required to resolve the incident; if so, what are those time limits.
- (7) In relation to the arrangements ACT Policing have with the Crisis Assessment and Treatment Teams (CATT) in ACT Health, (a) does ACT Policing request members of CATT to attend incidents instead of a police response; if so, what categories of incident are dealt with in this way, (b) does ACT Policing request members of CATT to attend incidents in partnership with a police response, for example, CATT and police attend at the same time; if so, what categories of incidents are dealt with in this way and (c) what guidelines or memorandums of understanding cover CATT involvement in instances covered by parts 7(a) and 7(b).

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

- (1) SRSTR currently has 36 operational members, one Tactician Sergeant, who is tactical response (TR) trained, and two vacant positions. This does not take into account members who are on the books who may be carrying an injury or illness and not operational at a particular time.
- (2) SRSTR currently consists of four operational teams and one training team. All these officers are available for deployments.
- (3) SRSTR do not generally have a first response obligation. In the event of a serious incident that involves firearms or other weapons or a life threatening incident, if an SRSTR team was on duty they would generally be notified and respond at the same time as the general duty (GD) patrol team. Due to the geography of Canberra, it is highly likely that the GDs patrol team would be the first to arrive at an incident.

- (4) SRSTR members are required to be called in for any high risk pre-programmed operation, such as high risk search or arrest warrants. These incidents will only involve SRSTR following a risk assessment being conducted and approval from a Deputy Chief Police Officer. In addition, the SRSTR would be available to be called out where there is actual or potential:
- Threat of violence likely to result in the occasioning of serious bodily harm or death;
  - Possession of lethal weapons by persons reasonably suspected of being capable of their use for unlawful purposes;
  - Need for the specialist skills of Police Tactical Group (PTG) members; or
  - Need for the utilisation of PTG equipment.
- (5) SRSTR teams generally work a day and afternoon shift six days a week, and a day shift on Sundays. There is some flexibility in this rostering due to the nature of the duties and there may be times when teams are stood down from duty due to excessive hours worked from previous call outs SRSTR maintains a 24/7 on call capacity. If there is no SRSTR team working, there will be a team on call. SRSTR is able to respond with a specialist response to assist ACTP within one hour of a call out.
- (6) There are no time limits to resolve any incident. For high risk incidents involving violence or potential violence, the AFP policy is to cordon, contain and negotiate.
- (7) Response to question 7 are as follows:
- a) It is difficult for me to answer with any degree of certainty as to categories of instances which would dictate a particular response by one agency over another.
  - b) As with all police responses each response is dealt with on an individual basis. There are instances where police and CATT attend together, as there are instances where either CATT or police will be the first to attend and then request the assistance of the other.
  - c) The CATT team is a part of the broader Mental Health ACT, specifically sitting within Access and Acute Services. There is no specific Memorandum of Understanding (MOU) with CATT, rather the MOU (which has been renegotiated and awaiting signing) is with Mental Health ACT.

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## **Roads—cycling and pedestrian infrastructure (Question No 1570)**

**Ms Le Couteur** asked the Minister for Territory and Municipal Services, upon notice, on 17 February 2011 (*redirected to the Minister for Transport*):

- (1) How is the Government evaluating the overall priority of the projects in the Cardno Eppell Olsen draft report on cycling and pedestrian infrastructure and how will it ensure that it prioritises and funds the projects that have the best cost/benefit outcomes.
- (2) Is the Government (a) using the Multi-Criteria Analysis (MCA) used in the Cardno report and (b) satisfied with the efficacy of the MCA.
- (3) How does this MCA operate, for example, what criteria are used.

- (4) Will the Government rely on the cost-effectiveness calculations used in the report.
- (5) Is the Government satisfied with the accuracy of the cost-effectiveness calculations;
- (6) Is it appropriate for (a) this analysis to give a project a higher score if it is more expensive (b) the report to add the benefit and costs scores together, rather than weigh them against each other.
- (7) When will the final report be made public.
- (8) When will the Government decide which projects it will prioritise and make these priorities public.

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

- (1) The Cardno report uses a Multi-Criteria Analysis (MCA) to rank the 202 nominated projects contained in the report. The MCA methodology developed by Cardno was first used in South East Queensland for a combination of 8 Local Government Areas and the State Government to determine and prioritise a 10 year cycling and pedestrian infrastructure program. The Cardno model was adapted for use in the ACT in terms of the weighting and criteria used to assess and rank projects. The adaptation was undertaken in consultation with stakeholder groups. Cost effectiveness was one of four criteria used as part of the MCA which is a qualitative rather than a quantitative analysis.
- (2) (a) Yes, the Government is using the MCA methodology developed by Cardno for an initial ranking of projects.  
  
(b) The efficacy of the MCA methodology will be tested by the working group I have requested to be convened by Roads ACT and report back to me in July 2011.
- (3) The MCA is a qualitative analysis tool that is often used to consider tangible and non-tangible benefits that projects can deliver. In the case of the Cardno work, four criteria were used and developed through a public consultation process. These criteria included network characteristics, safety, cost effectiveness and strategic importance.
- (4) No – will test the advice provided through the working group set up to review and report on the work to date.
- (5) Yes.
- (6) (a) No – the cost effective criterion divides the cost of a project by the number of people that it serves so the lower this criterion score the better.  
  
(b) No – the MCA methodology differs from a cost benefit analysis where the costs of the project are divided by the benefits of the project to establish a cost/benefit ratio.

The MCA methodology scores and weights the various criteria which are then added together to establish the initial ranking of the projects.

- (7) The report will be made public in due course.
- (8) The working group will report to me in July 2011 and the ACT Government will

decide which projects it will progress shortly after this.

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**Roads—traffic lights  
(Question No 1571)**

**Ms Le Couteur** asked the Minister for Territory and Municipal Services, upon notice, on 17 February 2011 (*redirected to the Minister for Transport*):

- (1) How does the Department of Territory and Municipal Services decide whether roundabouts, traffic lights, or other measures, are appropriate for a road intersection.
- (2) What is the approximate cost of installing traffic lights at an intersection, compared to roundabouts.
- (3) What consideration has the Government given to using hybrid roundabouts, which are roundabouts that utilise traffic lights during peak hours, for intersections in Canberra.

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

- (1) The decision to adopt either traffic lights or a roundabout at a road intersection is based on a consideration of the specific location; the various road user requirements and forecast traffic volumes, the location of services and the need to provide priority for buses, cyclists and pedestrians.
- (2) The cost of installing traffic lights depends on the type of intersection (eg. three way, four way, at grade, interchange etc) and the complexity of the associated work involved (eg. amount of road infrastructure work required to retrofit and/or construct). Recent work undertaken in the ACT suggests that an average cost for constructing a set of traffic lights commences at about \$0.60 million. Roundabouts typically cost in the range of \$0.5 million - \$1.5 million depending on the nature of the specific location and the lane configuration adopted.
- (3) The ACT Government has considered the use of hybrid roundabouts. The ACT currently has two roundabouts which use traffic lights to generate gaps during the peak periods. These include the roundabout at the intersection of Isabella Drive and Athllon Drive and the roundabout at Brindabella Circuit and Pialligo Avenue at the Canberra Airport.

I also understand that an assessment of adopting this approach on the large roundabout on the Barton Highway / William Slim Drive is currently underway.

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**Information technology—open source software  
(Question No 1574)**

**Ms Le Couteur** asked the Minister for Territory and Municipal Services, upon notice, on 17 February 2011:

- (1) In relation to the use of open source software, what software is used by ACT Government agencies.
- (2) Has the Government evaluated using open source software in the office environment,

for example as a replacement for the Microsoft software currently used.

(3) Does the Government require electronic document formats to be non-proprietary.

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

(1) The ACT Government currently uses a variety of open source software including:

- Firefox
- Infra Recorder
- GIMP
- PDF Creator
- Putty
- JZip
- 7Zip
- Notepad++
- SCCM Client Centre
- FreeMind
- Windirstat
- Open Office 2
- Audacity
- VLC Media Player
- VNC
- Ghostscript
- Wireshark
- Winmerge
- Scintilla
- Free Commander
- PeaZip
- WinMerge

(2) Yes. The ACT Government's ICT Architecture Principles state that "Open Source technologies will be selected where they are demonstrably equal or superior to proprietary solutions in terms of their value, whole-of-life costs and risk levels".

(3) No, but the ACT Government's standard operating environment is a Windows 7 operating system which uses the Office Open XML document format. This is an open standard, officially approved and recognised by a variety of international standards' organisations for the industry, including Ecma International, the International Organization for Standardization and the International Electrotechnical Commission.

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### **Energy—efficiency ratings (Question No 1575)**

**Ms Le Couteur** asked the Attorney-General, upon notice, on 17 February 2011:

(1) In relation to the energy efficiency ratings (EER) auditing for the Sale of Premises Act,

what auditing of did the Department of Justice and Community Safety undertake in 2010.

- (2) Given that the ACT Planning and Land Authority (ACTPLA) will be undertaking the certification of EER auditors who provide EER auditing for the Sale of Premises Act requirements, how will the transition from the Department of Justice and Community Safety (JACS) to ACTPLA work.

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

- (1) The Office of Regulatory Services routinely audits Canberra Times property advertising to ensure that EER statements are advertised on properties offered for sale. In 2010 the ORS wrote to three separate real estate agents that failed to publish the required EER statements warning them that their conduct was likely to be in contravention of the *Civil Law (Sale of Residential Property) Act 2003*.
- (2) The ORS will continue to administer and enforce the general disclosure provisions for sale and rental properties under the *Civil Law (Sale of Residential Property) Act 2003*.

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### **Planning—dwelling numbers (Question No 1577)**

**Ms Le Couteur** asked the Minister for Planning, upon notice, on 17 February 2011:

- (1) In relation to increasing dwelling numbers above future urban area concept plans, what power does the ACT Planning and Land Authority (ACTPLA) have to approve development applications which propose increasing dwelling numbers over dwelling numbers previously approved in concept plans.
- (2) What number or percentage of dwellings can be increased over the numbers approved in the concept plans before ACTPLA needs to put through a Technical Variation.

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

- (1) & (2) Under the *Planning and Development Act 2007*, a concept plan applies the principles and policies in the structure plan and is a precinct code in the *Territory Plan 2008*. A concept plan is used to guide the preparation and assessment of estate development plans (which are development applications).

If a concept plan is in a rules and criteria format, the dwelling number needs to comply with the relevant rule or meet the criterion requirements for the consideration by ACTPLA of any departure in dwelling numbers, if a criterion exists.

For concept plans that are not in a rules and criteria format - which is the case for concept plans that were prepared under the previous Territory Plan as a planning guideline - any departure in dwelling numbers compared to that indicated will be considered against the provisions of the individual concept plan and any important planning requirements, in conjunction with the other relevant assessment codes within the Territory Plan.



In these cases, the need for a technical amendment will depend on the specific provisions of the individual concept plan taking into account their previous non statutory guideline status.

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**Planning—Downer shopping centre  
(Question No 1578)**

**Ms Le Couteur** asked the Minister for Planning, upon notice, on 17 February 2011:

- (1) Has the ACT Planning and Land Authority (ACTPLA) made any efforts to enforce the lease conditions in the vacant Downer Shopping Centre.
- (2) What plans does ACTPLA have for the shopping centre.

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

- (1) Yes.
- (2) ACTPLA is working with the Department of Land and Property Services, in consultation with the Downer Residents Association, to broadly achieve the objectives of the draft Downer Centre Urban Design Study.

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**Planning—development applications  
(Question No 1579)**

**Ms Le Couteur** asked the Minister for Planning, upon notice, on 17 February 2011:

- (1) Does the ACT Planning and Land Authority (ACTPLA) make any effort to notify people who have previously lodged objections to development applications when a second development application is lodged for the same site.
- (2) What follow up communications are there with those initial objectors to a development application and are they (a) told that the initial development application has been rejected, (b) informed when another development application has been lodged and (c) informed of the outcome of the second development application.
- (3) Does ACTPLA consider that some changes should be made to the Planning and Development Act to ensure that interested parties, for example, those who have previously lodged objections to development applications, should be notified when a second development application is lodged for the same site.

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

- (1) Development Applications (DAs) are notified in accordance with the *Planning and Development Act 2007*. The notification entails letters to adjoining properties for minor notification and in addition for major notification, a sign on the site and a notice in the Canberra Times. Each new DA is treated as a new DA.
- (2) (a) Each person who makes a written representation within the notification period is advised of the decision for that DA.  
  
(b) Initial objectors are not informed when another DA is lodged for the same site

unless they are notified by reason of the Planning and Development Act.

- (c) A person who makes a representation on an application is notified in the same manner as outlined in the response to question 1 above.

Initial objectors who made a written submission on a second DA for the same site are informed of the outcome of the application

- (3) No and nor do I as Minister.

A person who made a representation for the first application has the same method to establish knowledge of the project through the notification process for the subsequent DA for the site.

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### **Planning—development applications (Question No 1580)**

**Ms Le Couteur** asked the Minister for Planning, upon notice, on 17 February 2011:

How many development applications have not been approved on environment grounds in the (a) impact, (b) merit and (c) code tracks.

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

The ACT Planning and Land Authority has reviewed the reasons of decisions for each of the 104 Development Applications (DAs) refused under the revised planning system that was introduced in March 2008. DAs refused on environment grounds are as follows:

- a) Impact track - nil;
  - b) Merit track - 48; and
  - c) Code track - 1.
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## Questions without notice taken on notice

### Housing—emergency accommodation

**Ms BURCH** (*in reply to a supplementary question by Ms Le Couteur on Tuesday, 15 February 2011*): The most recent data available indicates that the total daily average demand for supported accommodation in the ACT in 2008-09 was 297 adults and unaccompanied children. Of these, 291 were accommodated (up from 278 in 2007-08) and 6 were turned away (down from 10 in 2007-08).

The data indicates the turn away rate for all people needing supported accommodation reached a five year low (2.1%) in the ACT in 2008-09 as the number of people able to be accommodated rose.

Nationally the turn away rate increased over the same period.

In addition the ACT has in place measures to assist those people without immediate accommodation, in particular where there are safety concerns. This included the provision of brokerage funds, emergency relief services, 24 hour assistance through the Domestic Violence Crises Service, and the provision of emergency shelter supplies, such as tents, sleeping bags, and food, through Street to Home

In addition access to those emergency options has now been streamlined with the establishment of First Point the central access service which provides callers with comprehensive information on accommodation and emergency options.

### Bimberi Youth Justice Centre—staff

**Ms BURCH** (*in reply to a supplementary question by Mrs Dunne on Thursday, 17 February 2011*): I would like to advise Members there are currently no permanently appointed youth workers who have not completed their medical clearance or AFP criminal records.

There are 10 trainee Youth Detention Officers who are having their criminal history and medical clearances processed. The trainees are not permitted to undertake any operational duties without supervision until these clearances have been finalised.

All teachers at the Murrumbidgee Education and Training Centre are qualified to teach in ACT public schools and have passed relevant security, health and medical checks at the beginning of their employment. All trainers at the Centre are contracted by Caloola (Registered Training Organisation) and have Certificate IV qualifications in training and assessment and have passed police checks.

**Ms BURCH** (*in reply to a supplementary question by Mr Coe on Thursday, 17 February 2011*): I would like to advise Members at the end of 2010 there were six education staff at the Murrumbidgee Education and Training Centre, totalling 4.7 FTE. Of the six education staff in 2010, three are currently teaching at the Centre.

At the beginning of 2011, there were seven education staff at the Murrumbidgee Education and Training Centre totalling 5.8 FTE. Two additional temporary teachers who taught at the Centre in 2010 are also employed to support the beginning of the 2011 school year.

**Ms BURCH** (*in reply to a supplementary question by Mrs Dunne on Thursday, 17 February 2011*): In May 2010, the induction program took 8.5 weeks to complete while the current program will be completed in 6 weeks.

As part of the ongoing review process a number of modules in the original induction program were removed and the 2011 program has seen the addition of new modules in Emergency Management, Understanding the Neurobiology of Complex Trauma and Therapeutic Crisis intervention.

The new modules have been developed as part of the continuous review process that seeks to remove duplication and to ensure the currency of training. Training will now extend beyond the basic induction period enabling youth workers to complete a Certificate IV in Youth Work and attain 50% accreditation of prior learning by CIT.

There have been isolated instances where recreation leave has been refused due to operational requirements of Bimberi Youth Justice Centre.

### **Bimberi Youth Justice Centre—assaults**

**Ms BURCH** (*in reply to a supplementary question by Mr Smyth on Thursday, 17 February 2011*): It is not possible at this stage to determine whether the Territory has any liability to the guard. Matters that may be relevant include the terms of the contract between the Territory and that person's employer, the circumstances of any assault and the nature and extent of any injuries suffered. It is open to that person to seek their own legal advice about their legal entitlements including whether they should pursue a claim, of what type and against whom. It would not be appropriate to comment further on this matter as it may become the subject of a claim and, ultimately, legal proceedings.

### **Bimberi Youth Justice Centre—safety**

**Ms BURCH** (*in reply to supplementary questions by Mr Seselja and Mrs Dunne on Thursday, 17 February 2011*): I would like to advise members that duress alarms are issued to all operational staff which include Youth Detention Officers and MSS Staff.

Mrs Dunne also asked if there was a problem with the equipment belts not holding the duress alarms securely.

The duress alarm has a clip that is attached to the equipment belt. On occasion these clips have broken and are unable to be attached to the equipment belt. Staff and MSS staff have been issued with a clear instruction that if the duress alarm or clip is faulty in any way, they are to report the problem and a different alarm or belt, will be issued.

**Youth and family services program—tender process**

**Ms BURCH** (*in reply to a supplementary question by Ms Hunter on Thursday, 17 February 2011*): I would like to advise Members the delay in releasing the tender documents is as I indicated in the Chamber during Question Time on 17 February 2011, due to ensuring compliance with both administrative and regulatory requirements of the *Government Procurement Act 2001*.