



Debates

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Thursday, 5 May 2011

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MR SPEAKER (Mr Rattenbury) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**Public Sector Management (One ACT Public Service)
Amendment Bill 2011**

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

Title read by Clerk.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (10.02): I move:

That this bill be agreed to in principle.

I am pleased to present the Public Sector Management (One ACT Public Service) Amendment Bill 2011, a bill to streamline the ACT public service and set it on its path of modernisation, moving it into the next phase of its evolution.

In September last year I commissioned a review into the ACT public service by Dr Allan Hawke, with the key question being: is the configuration of the ACT public service appropriate to meet the government's current needs? Or put another way: how can we maximise the city-state government model we have here in the ACT and promote a shared sense of purpose?

Dr Hawke was asked to consider whether the way the service is structured and functions are performed supports the delivery of strategic policy advice and high quality services or whether there were any blockages preventing departments from delivering coordinated advice to the government of the day and impeding the provision of services to the people of Canberra. In the knowledge that governments around the country are facing what some have called "wicked" policy dilemmas, I also asked Dr Hawke to consider what might improve the service's capacity to be resilient, more innovative and agile.

Dr Hawke and his team did an outstanding job, looking at the problem from both a national perspective and in the international context. They recognised that in the modern era of governing, the ACT is not alone in facing deeply challenging problems. However, few encounter the range and type of problems that the ACT government faces as a combined state and municipal polity, with issues divergent in their nature and complexity. These extend from ensuring the citizens of the ACT have access to high quality health care and educational services to making sure households have their garbage bins cleared every week.

The broader context is worth noting here. The ACT government is in charge of a geographical area roughly the same size as Greater London. Our population is approximately 360,000 people and within 50 years that is expected to rise to 500,000. Government revenue amounts to roughly \$4 billion. Approximately one-half of this figure comes from commonwealth grants and one-third from taxation.

Dr Hawke delivered his final report on the review in February this year. It contained 76 far-reaching recommendations. Some recommendations were subject-specific, for example, looking at the functional relevance of boards and committees or the potential for consolidated economic advice to government.

Other topics and accompanying recommendations were concerned with broader administration issues, such as how best to bring the territory into the space of open, transparent government; considering whether the cabinet process is over-engineered; looking at our current 81 reporting entities and asking whether this is realistic in a city-state model.

But the bill I place before the Assembly today implements the review recommendations that looked at the fundamental issue of a more streamlined, efficient administration.

This bill establishes a new single entity structure which will improve coordination and alignment of effort across government to better meet the needs of the community.

A newly created position of “head of service” will be in charge of the single entity. That person is to be entrusted with functions that have a clear whole-of-government emphasis. The head of service will lead whole-of-government strategic thinking, be responsible for ensuring implementation of whole-of-government priorities and direct how agencies are to contribute to those goals. Directorates will be placed under the stewardship of directors-general, whose role is to manage their respective directorates under the relevant portfolio minister, and to report to the head of service on whole-of-government issues.

This bill represents an exciting opportunity for the ACT public service as it introduces not just a new structure but a new way of working. The focus will not be on the achievements and results of individual directorates. Success will be measured by what the whole of the ACT public service can achieve.

The head of the service will be established by the inclusion of a new division in the act. This will enable the Chief Minister to engage a head of service on contract to manage the service, develop and implement whole-of-government strategies, provide advice and reports to the executive about whole-of-government issues, coordinate activities and outcomes across service units, direct service units in relation to critical or potentially critical issues, approve the structure of service units, manage the employment of members of the service, and manage the exercise by directors-general of their functions. The bill also provides for the head of service to perform any other function given to them by the Chief Minister or by a territory law.

The bill provides that the head of the service may also be the director-general of the Chief Minister's service unit. It is my intention that the head of the service will also head the Chief Minister's directorate.

The head of the service will take on most of the employment functions previously undertaken by chief executives and the Commissioner for Public Administration. This rightfully reflects the head of the service's responsibility for the management of the employment of members of the service. The commissioner has a new additional role as a "check" on decision making where vesting all employment powers in the head of service has the potential to create a conflict of interest; for example, where the head of service makes a decision to terminate someone's employment and decides to re-engage that person within a short time of the termination. The commissioner will also retain responsibility for resolution of grievances, authorisation of management standards, sponsorship of employee diversity programs and offering advice on public sector values and ethics.

The bill provides that the office of directors-general for an administrative unit is established when the unit is established—it no longer has to be created separately.

A director-general will be engaged on contract by the head of the service in consultation with the Chief Minister and the relevant minister. A director-general will, under the relevant minister, be responsible for managing the business of the directorate, providing advice and reports to the minister on matters relating to the directorate and implementing, at the direction of the head of the service, whole-of-government strategies and responses to critical or potentially critical issues, consistent with the new single entity structure. It also provides for a director-general to perform any other function given to them by the head of the service or by a territory law.

The amendments will be accompanied by new administrative arrangements on commencement. This instrument will outline the new nine-directorate structure. The nine directorates are: Chief Minister's; Treasury; Economic Development; Justice and Community Safety; Health; Education and Training; Territory and Municipal Services; Community Services; and Sustainable Development.

The key changes include the creation of two entirely new directorates: Sustainable Development and Economic Development. The main purpose for creating these new structures is to better align the efforts of those responsible for economic development for the territory, and create a cross-portfolio entity responsible for tackling one of the most challenging policy areas of our age—sustainability.

Economic Development will incorporate almost all of the former Department of Land and Property Services as well as elements of the former Chief Minister's Department responsible for business support and programs, events, skills and economic development, tourism, and the team supporting the Live in Canberra campaign. It will also take on responsibility for territory venues, including EPIC and sport and recreation, both areas formerly in TAMS.

Sustainable Development will comprise the entirety of the former Department of the Environment, Climate Change, Energy and Water and the ACT Planning and Land

Authority, along with elements of the former Chief Minister's Department relating to heritage and the government architect. It will also be the new home for transport planning and provide support for the Conservator of Flora and Fauna.

Treasury will remain largely unchanged, although it will pass gaming and racing to Economic Development and regain Shared Services and the Territory Records Office.

Justice and Community Safety will remain unchanged, aside from gaining two new regulatory functions in the area of transport, being road safety and driver and vehicle licensing.

Territory and Municipal Services will lose the units mentioned but will gain responsibility for government accommodation and property, while the directorates of Health, Education and Community Services will remain unchanged.

In moving from "chief executives" to "directors-general", there will need to be widespread consequential changes across the ACT statute book. I will be introducing another bill containing these amendments in June. The government will be looking to debate both bills cognately with a view to commencement on 1 July.

The people of Canberra are now a long way from being reliant on the whims of a federal minister for territories. As the Hawke review rightly pointed out, after 21 years, the territory has come of age and the time is right for reconfiguration. The bill I present today is one of the logical conclusions arising from the work of Dr Hawke, taking as its starting point many of the review's fundamental recommendations about a better structure to meet the government's and the community's needs.

But we do need to be clear that this project is not easy. What we are doing here is more than mere housekeeping—this is about generational change. The success of the new model will depend on effective cultural change and effective change management.

In closing, the bill I am presenting today is about new ways of working for the public service, a more efficient use of resources and a more effective alignment of government and public service efforts. It should result in some immediate changes to how the ACT public service operates. Other outcomes will, of course, take time. However, I am convinced that this is the right thing to do and will set the ACT public service on a path of reinvigoration, for now and, more importantly, for the future. I commend the bill to the Assembly.

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

Payroll Tax Bill 2011

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

Title read by Clerk.

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (10.12): I move:

That this bill be agreed to in principle.

The Payroll Tax Bill 2011 repeals the Payroll Tax Act 1987 and proposes to replace it with a new act. This will harmonise the ACT's payroll tax provisions, as far as possible, with the equivalent payroll tax legislation of New South Wales, Victoria, Tasmania, South Australia and the Northern Territory.

On 29 March 2007, state and territory treasurers announced a decision to overhaul payroll tax arrangements. This was aimed at achieving greater legislative and administrative harmony in a number of key areas.

This government has previously amended its payroll tax legislation to assist business by providing greater consistency with other Australian jurisdictions. In 2007, the Payroll Tax Amendment Act 2007 provided harmonisation in relation to motor vehicle and accommodation allowance exemptions, fringe benefits, grouping provisions and exemptions for work performed in another country. These measures came into operation on 1 July 2008.

Together with key measures that have already been incorporated, the bill is a further step in harmonising the ACT's payroll tax legislation to provide common structure, definitions and provisions.

With around 70 per cent of registered payroll tax payers in the ACT also operating in other Australian jurisdictions, this government is keen to provide as much consistency in payroll tax legislation and administration as possible. The new act will reduce the administrative burden on ACT employers and their financial advisers. This is particularly important to ACT employers operating across a number of Australian jurisdictions. The harmonised legislation and administration will further assist them in understanding and complying with their payroll tax obligations.

The Payroll Tax Bill 2011 is a great example of how this government is working with all Australian states and the Northern Territory to bring about national reforms to help reduce the administrative burden on business.

Like all Australian jurisdictions, the ACT reserves the right to retain control over rates and thresholds. The bill does not alter the ACT's payroll tax rate and the generous tax-free threshold, currently the highest in Australia at \$1.5 million. The ACT will retain control of these aspects and other areas where there are ACT-specific policy differences. This will allow the ACT to tailor its tax policies to meet the specific economic needs of the territory and its businesses.

The harmonised provisions will be contained in the main body of the legislation and all ACT-specific policies will be provided for in the schedules. Other jurisdictions that have adopted the harmonised legislation have also retained their specific policies and provisions in schedules to their acts.

Examples of where ACT-specific provisions will be retained include the treatment of employment agents, exemptions for charities, maternity and adoption leave, as well as the current rate and threshold.

The ACT provides a payroll tax exemption for employment agents only in circumstances where the employment agent itself is the exempt body. Exempting employment agents who on-hire to exempt organisations such as the commonwealth could result in significant revenue loss for the ACT.

All wages paid by defined charitable organisations are exempt from payroll tax in the ACT.

In the ACT, the exemption for wages paid to an employee for maternity and adoption leave is more generous than other jurisdictions as it includes primary carers such as a domestic partner or grandparent of the child. It is proposed that these exemptions will be retained in the new payroll tax legislation.

In an effort to further reduce compliance and administrative costs for businesses, the government will continue to work with other jurisdictions to maintain legislative consistency. We will also explore opportunities to further streamline administrative arrangements. This will include improving the consistency of business practices, taxpayer information and administrative and compliance requirements. A practical example of this will be the re-issuing of payroll tax information circulars by the Commissioner for ACT Revenue where there are common topics and themes with other jurisdictions.

To simplify the introduction of the new provisions for business, the bill provides for a 1 July 2011 commencement date to align with the normal annual payroll tax liability and financial year. I commend the Payroll Tax Bill 2011 to the Assembly.

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

Planning and Development (Lease Variation Charges) Amendment Bill 2011

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

Title read by Clerk.

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (10.17): I move:

That this bill be agreed to in principle.

Mr Speaker, today I present amendments to the Planning and Development Act 2007, the Planning and Development Regulation 2008, the Taxation Administration Act 1999 and the Unit Titles Act 2001. These amendments are required to implement the reform of the change of use charge system in the territory, including its codification.

The change of use charge has been in place in the ACT since 1971. It is an integral part of the territory's unique leasehold land system. Under the betterment principle, a

proportion of any windfall gain accruing to a lessee from a variation to their lease is returned to the community.

The betterment principle has a solid basis in economic theory, as recognised by ACIL Tasman, the advisers to the 2010-11 Select Committee on Estimates. They stated that the change of use charge “has a very strong basis in economic theory. True economic rent can be collected by governments for the purpose of public finance without the adverse effect caused by taxes on production or consumption. The change of use charge appears to be an attempt to isolate and tax economic rents.”

Members would be aware of the many changes undertaken to the betterment system over time. The system had become complex and inefficient and needed improvement. That is why, in the 2009-10 budget, the government committed to codify the change of use charge to increase efficiency and transparency in the system. I note that this was a recommendation by the Property Council in its budget submission that year.

Codification will have a number of benefits for the ACT. It will simplify the current system by clearly setting out the amount of change of use charge payable. Those undertaking redevelopments within the territory will be able to determine the amount of change of use charge payable up-front. This is perhaps one of the important benefits—that projects can be planned up-front, knowing all the costs without resorting to time consuming and costly valuations. As the codified schedules will reflect current market values for individual suburbs, developers will now remunerate the territory the appropriate charge for the grant of development rights.

The government has undertaken a considerable amount of work on this reform over the past two years. There have been a number of independent expert reports on this matter, which I tabled in the Assembly late last year. Today, I introduce the legislation to complete this important microeconomic reform so that codification can commence on 1 July 2011.

Mr Speaker, there seems to be some confusion regarding the impact of codification. There have been suggestions that the government is increasing the charge and that codification will have a major impact on the industry.

It is important that the impact of codification is understood clearly. Members would recall that a practice of applying fixed valuations and fees for units, townhouses and dual occupancy developments was identified last year. Clearly, this was not the intent of the legislation. The practice was rectified at the end of April 2010. The rectification of the system reflects considerable increase in the charge. That, however, is even before the codification comes into effect.

That increase reflects how much of the windfall gains have not been returned to the community, as envisaged under the original betterment system. The schedule of values under codification are based on the market values and in fact they are averaged over three years to remove any fluctuations. In principle, there should be no or negligible impact from the introduction of codification itself. That is what the expert reports also confirmed.

The government is mindful that, whatever the cause, the industry needs time to adjust to actual market values. This is why the government is providing generous remission arrangements for the residential sector for the next four years to help industry to adjust to the market values. The transition package that I announced in this budget will provide a subsidy to industry of around \$45 million over four years, with reference to a 100 per cent charge.

Members would note that under the proposed changes, the government will retain the ability to provide a remission of the charge to achieve specific policy objectives. Indeed, in the 2011-12 budget, the government is supporting the adaptive re-use of C and D-grade office stock in town centres with remissions of the charge, as well as in childcare centres.

Mr Speaker, this legislation will rename the change of use charge to lease variation charge to more accurately reflect the present system. This bill will also include the lease variation charge within the purview of the Taxation Administration Act and bring a number of new powers under the control of the Commissioner for ACT Revenue. As a consequence of this change, the Commissioner for ACT Revenue will be the determining authority for the lease variation charge. However, ACTPLA will continue to administer it as is current practice.

The charge has been classified and treated as a tax in our accounts. It is sensible to provide for its administration under the taxation legislation. These changes will return transparency and integrity to the system and allow the territory and the community to receive the compensation they are entitled to under the territory's leasehold system. I commend the bill to the Assembly.

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

Statute Law Amendment 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) (10.23): I move:

That this bill be agreed to in principle.

Mr Speaker, the Statute Law Amendment Bill 2011 makes statute law revision amendments to ACT legislation under guidelines for the technical amendments program approved by the government. The program provides for amendments that are minor or technical and non-controversial. They are generally insufficiently important to justify the presentation of separate legislation in each case and may be inappropriate to make as editorial amendments in the process of republishing legislation under the Legislation Act 2001. The program is implemented by presenting

a statute law amendment bill such as this in each sitting of the Assembly and including further technical amendments in other amending legislation where appropriate.

Statute law amendment bills serve the important purpose of improving the overall quality of the ACT statute book so that our laws are kept up to date and are easier to find, read and understand. A well-maintained statute book greatly enhances access to ACT legislation and is a very practical measure to give effect to the principle that members of the community have a right to know the laws that affect them.

Statute law amendment bills also provide an important and useful mode for continually modernising the statute book. For example, laws need to be kept up to date to reflect ongoing technological and societal change. Also, as the statute book has been created from various jurisdictional sources over a long period and it reflects the various drafting practices, language usage, printing formats and styles throughout the years. It is important to maintain a minimum, consistent standard in presentation and cohesion between legislation coming from different sources at different times so that better access to, and understanding of, the law is achieved.

This statute law amendment bill deals with four kinds of matters. Schedule 1 provides for minor, non-controversial amendments proposed by a government agency that has required the approval of the Chief Minister. Schedule 2 contains amendments of the Legislation Act 2001 proposed by the parliamentary counsel to ensure that the overall structure of the statute book is cohesive and consistent and developed to reflect best practice. Schedule 3 contains technical amendments proposed by the parliamentary counsel to correct minor typographical or clerical errors, improve language, omit redundant provisions, include explanatory notes or otherwise update or improve the form of legislation. Schedule 4 contains repeals of obsolete or unnecessary legislation proposed by government agencies or the parliamentary counsel.

Mr Speaker, the bill contains a large number of minor amendments with detailed explanatory notes; so it is not useful for me to go through them now. However, I would like to take the opportunity to briefly mention several matters.

Schedule 1 of the bill contains amendments to the Road Transport (Alcohol and Drugs) Act 1977. The bill amends the act, section 41AA, to expand the matters that may be included in an evidentiary certificate given under that section. The amendments are consequential on changes made to the act by the Road Transport (Alcohol and Drugs) Legislation Amendment Act 2010 in relation to the testing of a person's oral fluid or blood for prescribed drugs.

The first amendment substitutes section 41AA(2)(f). Proposed section 41AA(2)(f) provides that a statement by a police officer that a person was unable or failed to provide a sufficient sample of oral fluid for analysis is evidence of that matter. The amendment will ensure that the situation contemplated by section 15(1)(c), which provides that a person unable to provide sufficient oral fluid for analysis is required to allow a blood sample to be taken for analysis, may be dealt with in the evidentiary certificate instead of requiring the police officer to give direct oral evidence of the matter to the court.

The bill also amends the act to insert a new section, 41AA(5), which sets out the information that must be included in an evidentiary certificate given by a doctor or nurse in relation to a blood sample taken from a person for drug testing where the person has failed or has been unable to give a sample of oral fluid when requested to do so by a police officer. This provision mirrors existing evidentiary certificate provisions in relation to alcohol-related blood tests.

Mr Speaker, schedule 2 provides for non-controversial structural amendments of the Legislation Act 2001 initiated by the parliamentary counsel's office. Structural issues are particularly concerned with making the statute book more coherent and concise and therefore more accessible. Strategies to achieve these objectives include avoiding unnecessary duplication and achieving the maximum degree of standardisation of legislative provisions consistent with policy requirements and operational needs.

The schedule contains several amendments of provisions dealing with the notification in the legislation register or gazette of the making of proposed laws, statutory instruments and amendments made by resolution of the Assembly. The amendments broaden the options available for notification by enabling the parliamentary counsel to notify material in another place the parliamentary counsel considers appropriate, if the register is temporarily unavailable for technical or other reasons. Examples given of other places that may be considered appropriate for notification include the gazette and another government website.

Although it has always been possible to notify material in the legislation register on the date requested since the register started operating in 2001, it is a necessary part of risk management planning to have alternatives in place. I note that New South Wales has taken a similarly flexible approach in section 45C of its Interpretation Act.

Other amendments of the Legislation Act include inserting new definitions and omitting redundant definitions in the dictionary, part 1, for ease of reference across the statute book.

Schedule 3 includes amendments of acts and regulations that have been reviewed as part of an ongoing program of updating and improving the legislation and form of legislation. These amendments are explained in the explanatory notes and are routine, technical matters such as the correction of minor errors, improving syntax and omitting redundant provisions.

Schedule 4 repeals three statutory instruments under the Health Professionals Regulation relating to the standards for dental technicians and appointments to the ACT Dental Technicians and Dental Prosthetists Board. The instruments are obsolete as a consequence of amendments of the Health Professionals Regulation in 2010, which repealed provisions relating to the regulation and registration of dental technicians.

Mr Speaker, in addition to the explanatory notes in the bill, as always, the parliamentary counsel is available to provide any further explanation or information that members would like about any of the amendments made by the bill. I commend the bill to the Assembly.

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

Gaming Machine (Club Governance) Amendment Bill 2011

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

Title read by Clerk.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (10.31): I move:

That this bill be agreed to in principle.

The government recognises that clubs play a significant role in our community. It is also recognised that clubs, by providing gambling opportunities through gaming machines, have an obligation to operate in a responsible manner that accords with accepted government and community standards. As such it is important that the expectations of the community for transparent and accountable governance are being met by all of our clubs.

The combination of measures in the Gaming Machine (Club Governance) Amendment Bill 2011 will help to achieve this by, among other things, requiring all club directors to act in the best interests of their club, ensuring there are appropriate levels of disclosure and guaranteeing member representation on club boards.

The bill also provides some important safeguards in relation to the role of associated organisations. Together, the measures in this bill will improve transparency and accountability in the club sector. The provisions in this bill have been developed following a public review of existing governance provisions in the Gaming Machine Act by the ACT Gambling and Racing Commission.

The commission undertook a two-stage consultation process which focused on four key policy issues: firstly, the role and powers of associated organisations; secondly, obligations of club directors; thirdly, powers of the commission in relation to the governance of clubs; and, fourthly, club director election processes.

After considering submissions from both periods of consultation, the commission prepared a final review report with recommendations for amendments to the Gaming Machine Act in these areas. I now table for the information of members the commission's review report. The report will also be publicly accessible on the commission's website.

The government has accepted all of the commission's recommendations which are reflected in the drafting of this bill. A number of the provisions in this amendment bill relate to associated organisations. These entities, which are like-minded bodies that assist clubs to meet their objects, are declared as such by the commission for this

purpose. Typically, these entities play a significant role in the governance of a club and assist in protecting a club's original purpose and objects. Due to the influence of an associated organisation in a club's operations the government acknowledges that there need to be some further safeguards to ensure that associated organisations continue to be a benefit to the relevant club and do not have an undue influence.

For this reason, the bill proposes that at least 25 per cent of a club's board must be elected by members; associated organisations can appoint directors but they are not allowed to remove directors on a club board; and associated organisations can have their status as an associated organisation suspended or revoked by the commission if they cease to satisfy the requirements that had to be met for their initial declaration.

The bill also requires club directors to act in the best interests of the club when exercising their duties. While this fundamental duty is already codified in Corporations Law and exists in common law it does not exist in the current Gaming Machine Act and therefore is not subject to local regulatory scrutiny. As noted in the commission's review report, up until now there have been no specific provisions in the act that require individual directors to carry out their duties in accordance with accepted community standards while directors of a club board.

This bill will ensure that all club directors, regardless of whether or not the club is federally incorporated, are bound by this important duty. Its placement in the Gaming Machine Act also ensures that the ACT Gambling and Racing Commission is able to monitor the situation of all clubs and take enforcement action if necessary.

Important amendments are made by this bill to ensure that club constitutions are consistent with the provisions in the gaming laws, including the Gaming Machine Act and the mandatory code of practice. These amendments will provide specific power to the commission to require a change to a club's constitution where it is inconsistent with the gaming laws, which will assist to prevent a club from inadvertently breaching the legislation.

This bill introduces some enhancements to the club eligibility requirements by adding that a corporation, based on an auditor's opinion, must be able to pay all its debts as and when they become due and payable. This provision adds a level of consumer protection to ensure that patrons receive winnings when they are payable as well as protecting staff and other businesses that have money owing to them. This amendment provides appropriate provisions for the local regulator to take into account when considering club eligibility.

In addition to these more significant amendments the bill makes a number of smaller amendments to clarify and enhance existing governance provisions, including some of the disclosure requirements in clubs' annual reports.

Finally, the bill includes some amendments to the community contributions scheme to continue recognition of clubs' contributions to problem gambling assistance. Following the establishment of the Problem Gambling Assistance Fund under the provisions of the Gaming Machine Act which are due to commence on 1 July 2011, the industry requested that payments to the fund be recognised as community contributions. The proposed amendment will allow licensees to claim payments to the

new Problem Gambling Assistance Fund as community contributions from 1 July 2011 which is consistent with the current practice of claiming contributions to problem gambling assistance. As payments to the fund are intended to be over and above the current level of community contributions, the bill increases the minimum required contribution from the existing seven per cent of net gaming machine revenue to eight per cent. I commend the bill to the Assembly.

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

Administration and Procedure—Standing Committee Report 3—application for citizen’s right of reply: Mr Ernest Hocking

MR SPEAKER: I present the following paper:

Administration and Procedure—Standing Committee—Report 3—Application for Citizen’s Right of Reply: Mr Ernest Hocking, dated 4 May 2011, together with a copy of the extracts of the relevant minutes of proceedings.

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

That the report be adopted.

Response incorporated at Appendix 1.

Climate Change, Environment and Water—Standing Committee Report 5

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.39): I present the following paper:

Climate Change, Environment and Water—Standing Committee—Report 5—Report on Annual and Financial Reports 2009-2010, dated 2 May 2011, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Just to run through some of the recommendations that the committee included in this year’s report on annual and financial reports, we did focus on a number of issues to do with improving the sorts of information provided by the department and agencies that come under our portfolio areas, and of course our portfolio areas include environment, that is, environment protection, conservation, sustainability, climate change, energy and water.

The first recommendation really was around ensuring that the Department of Environment, Climate Change, Energy and Water included analysis of agency performance that is cross-referenced with the relevant budget output. This assists when trying to go back through to really have a good look and to be able to understand what has been included in that report.

Recommendations 2 and 7 related to providing collated whole-of-government information on performance against ecologically sustainable development indicators and the territory's progress towards achieving water saving targets. This is something we have been pushing for some time. We understand that the ESD reporting, for instance, is in each annual report. But we still feel that it would be very useful to have each of those collated into one report so we can clearly see how the government agencies overall are moving towards reducing their use of utilities, water, paper and so forth. It is important that we do have that overall view. I acknowledge they are in each of the annual reports but we still feel that it is an important thing to collate them into one.

We also have raised the issue about clarifying the distinction between ecologically sustainable development reporting and triple bottom line reporting requirements. We did note that with the Chief Minister's annual report directions there are templates provided for departments to fill in, but there does seem to be a crossover of information and I think what has grown here is a lack of clear understanding about what each is supposed to achieve. One is about looking internally into a department around the use of resources and how they may be achieving savings in the use of their resources.

Triple bottom line reporting I think has become quite confused. What that should be about is how a department approaches the development of the policy or a program, for instance, and applies that triple bottom line lens; that is, looking at the social implications, the economic implications and the environmental implications. We do need to keep progressing this area, we need to get it right and that is what that recommendation goes towards doing.

Recommendations 4, 5 and 6 relate to expediting the release of some key documents that really go towards laying the blueprint, that road map, about how we are going to achieve, for instance, the 40 per cent reduction in greenhouse gases by 2020. Of course I am referring to the final version of the sustainable energy policy 2010-20, and with that one we have included the requirement for an annual review of the policy's implementation and also expediting the release of the weathering the change action plan 2 for public consultation. We believe this is important. We need to move forward and we have been asking about these documents for quite some time.

Recommendations 8 and 9 relate to the Environment Protection Agency's complaints and enforcement action data. We really wanted them to include that data and information from previous financial years so that that would facilitate a comparison over years. We do hope that that is taken on board.

Another issue that has been going for some time relates to the expanded role of the Office of the Commissioner for Sustainability and the Environment. We really want to see the government's response to the September 2009 report on the expansion of this role. We are now in May 2011—it is really overdue—and again we have put in a recommendation that we want government to expedite its response to that report. We need to be moving on that issue.

Recommendation 11 is around providing information on the rationale for higher value single select tenders that were conducted by the Office of the Commissioner for Sustainability and Environment. There were a number of consultancies, people contracted to do work throughout the year, where it was single select tender. I think there are good explanations around the fact that this work can be very specific and it requires particular expertise to undertake it. But we felt that, in an environment too where this issue has been raised at the federal level, certainly around the number of single select type of tenders that are occurring and the lack of transparency that may reveal, we really need to ensure that we put in place some transparency. That is why we have requested that the information be included in the annual report, a rationale for why those high value single select tenders were conducted and why that process was decided upon.

The committee is grateful for the time and expertise of Minister Corbell, the Commissioner for Sustainability and Environment and all the officers who assisted with the provision of information during the inquiry. I would also like to thank my fellow committee members, Mr Seselja and Mr Hargreaves, and also the committee secretary, Margie Morrison, who did a wonderful job assisting the committee. Margie moved on a few months ago now but Nicola Kosseck ably filled that secretary position. She acted in that position and helped us to get to today where we have completed the report. I would also like to acknowledge Lydia Chung over in the Committee Office for her wonderful work.

Question resolved in the affirmative.

Education, Training and Youth Affairs—Standing Committee Report 6

MS BRESNAN (Brindabella) (10.47): I present the following paper:

Education, Training and Youth Affairs—Standing Committee—Report 6—
Report on Annual and Financial Reports 2009-2010, dated 19 April 2011,
together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

First off, I would like to thank the committee secretary, Sandra Lilburn, as per usual for doing a fantastic job of putting this report together and presiding over the hearings that we held and also to thank my fellow committee members, Jeremy Hanson and Mary Porter, for their work on this report.

The committee's inquiry focused on the portfolio areas of education and training, children, youth and family support, including youth justice, and arts and culture. The committee made 10 recommendations in relation to the education and training portfolio and youth justice area. The recommendations are concerned with establishing better planning processes in anticipation of departmental obligations to meet efficiency dividends.

One of these recommendations came out of the fact that there was some confusion with the way the efficiency measures were communicated and recommends a look at that. The recommendation on the percentage of students who proceed to post-school options goes very much to the availability of post-school options for students with a disability, which is a key issue. Reporting on the number of students who go on to post-school options will be very valuable information in terms of looking at the need in this area for students with a disability and looking at where there might be demand, or further demand, that needs to be met, the need to review some performance reporting methodologies and/or to ensure that the survey samples and methodologies used are clearly indicated when reporting.

Often with survey results reported there might be a very high level of satisfaction or indeed a low level. Often we do not know details such as the number of people surveyed or the number of respondents, and this information can have an impact on the results. So it is important that this information is provided so that we can have a better idea of how these methodologies and surveys are conducted.

A further recommendation was around applying publication and design standards set out in the annual report directions, reporting on young people in the justice system to include information about the recidivism rates and movement into the adult justice system. This very much came about through looking at the programs we have in place for young people. The committee recognises that this is an issue which crosses over two departments. However, it is an issue and we need to start looking at how the programs we run for young offenders are working, particularly in terms of re-offending and then if offences might occur as an adult, so we can get an indication of how this is progressing. A further recommendation in this area relates to participation rates in diversionary programs and the last two recommendations look at devising a mechanism for structured feedback from external service providers at Bimberi Youth Justice Centre.

They were the key recommendations from the committee in this report. The committee is grateful for the time and expertise of the ministers and all officers who assisted with the provision of information during the inquiry.

Question resolved in the affirmative.

Health, Community and Social Services—Standing Committee Report 6

MR DOSZPOT (Brindabella) (10.51): I present the following paper:

Health, Community and Social Services—Standing Committee—Report 6—*Report on Annual and Financial Reports 2009-2010*, dated 20 April 2011, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Annual and financial reports for 2009-10 referred to the Standing Committee on Health, Community and Social Services were ACT Health and sections of the Department of Disability, Housing and Community Services—namely, output class 1, disability services and therapy services; output class 3, community development and policy; and Housing ACT, output class 1, social housing services.

The committee held two public hearings—3 November and 24 November—and heard from the Minister for Health, the Minister for Disability, Housing and Community Services, the Minister for Aboriginal and Torres Strait Islander Affairs, the Minister for Ageing, Minister for Multicultural Affairs and Minister for Women and relevant departmental officials.

Following the hearings the committee asked a further 59 supplementary questions to assist in its inquiry and received responses to 15 questions taken on notice. The committee made nine recommendations in response to its scrutiny of the annual reports and associated evidence. The committee was concerned with the overrepresentation of young Aboriginal people detained at Bimberi and recommended that diversion strategies to reduce custodial sentences for Aboriginal and Torres Strait Islander young people be included in DHCS annual reports.

Recommendations pertaining to the inclusion of additional information in other program areas included more information regarding elective surgery waiting lists—ACT Health—and reporting against the direct actions and outcomes of the refugee, asylum seeker and humanitarian committee. The committee also recommended that the Chief Minister's annual report directions be amended to require agencies to report on their progress against the relevant strategic directions set out in the ACT strategic plan for positive ageing 2010-14.

On behalf of the committee, I would like to thank all the ministers, departmental officials and agency representatives for their time and cooperation during the course of the inquiry. I would also like to thank my committee colleagues, Ms Bresnan and Ms Porter, for their contribution. On behalf of the committee, I would like to express our appreciation and thanks to the secretary of our committee, Ms Grace Concannon, and to the administrative assistant, Ms Lydia Chung, for their continued valued support to the Standing Committee on Health, Community and Social Services.

Question resolved in the affirmative.

Public Accounts—Standing Committee Report 16

MS LE COUTEUR (Molonglo) (10.54): I present the following paper:

Public Accounts—Standing Committee—Report 16—*Report on Annual and Financial Reports 2009-2010*, dated 8 April 2011, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I would like to speak very briefly. Of course, the first thing that I would like to do is to thank the secretariat and Andrea Cullen, who I note for the first time in the Assembly is now Dr Cullen. We are all very proud of her. We were also ably assisted by Lesley Irvine and Lydia Chung. I would also like to thank my fellow committee members, Mr Smyth and Mr Hargreaves.

We made a total of 34 recommendations. I will not go through all of them but I will just go through some of the themes in them. I guess the first theme in there was ESD. Our first three recommendations deal with ESD. Given the nature of the public accounts committee rather than the environment committee, we are not talking necessarily about the substantive issues.

We are still, unfortunately, in the situation that ESD reporting in the annual reports is not as good as it should be. While there are a lot of things needed, obviously, to achieve good ESD outcomes, if we cannot get the reporting right, it will be very hard for us to tell what direction we are even going in. This has been an ongoing theme for PAC. I fear it may continue to be an ongoing thing into the future. We really have to get this working better.

Another ongoing theme—again, it is very relevant to PAC’s role—is in our next three recommendations when we talk about performance reporting. Again, if the Assembly and the wider ACT community are to be adequately informed as to what the government is doing and how the government is using the ACT community’s scarce resources, it needs to have good performance reporting. In some cases it does not have this. One of the problems is that sometimes the indicators are meaningless. In other cases they change them, they do not explain why and we end up with lots of discontinuities in data which are really unnecessary. There are other recommendations apart from these early ones that deal with performance and ESD—recommendation 11, recommendation 18 and recommendation 23. They are all reporting ones.

Another theme, which we have not had in the past, is about winding up organisations. Recommendations 30 to 34 all deal with wind-ups. Recommendation 30 is particularly interesting, or disturbing. It deals with the wind-up of Rhodium Asset Solutions. It appears that we have been keeping Rhodium going as a going concern for a very long time because we are trying to recover some money which is owed to the ACT government. Obviously recovering money owed to the ACT government is a good thing, but what our recommendation says is that the ACT government consider the cost-benefit to the territory in continuing to pursue the recovery of Rhodium Asset Solutions Ltd’s outstanding debts.

What we are basically saying is that, if it costs you a lot more to recover a debt than the value of the debt, there has to come a time when you have to say, “No, we just can’t keep on doing it.” So we have asked the Treasurer to inform the Assembly in 12 months time as to the progress of winding up Rhodium. We are quite concerned that the costs of keeping Rhodium going seem out of proportion to the benefit, if any, that we get from keeping Rhodium going.

We were also concerned, of course, with Totalcare, which has still not managed to be wound up. We appreciate that there are issues there, such as superannuation, and that it is a lot harder to ensure that those are finalised, but we are concerned about the time taken with Totalcare. We are concerned that the government as a whole look at what it can learn from winding up these organisations and make sure that any wind-ups in future are done much more efficaciously, because we have spent a lot of money on both of those.

We have a whole series of other recommendations, obviously, and I commend those to the Assembly. Another I might mention, because it is, again, an ongoing theme, is recommendation 10 concerning the Commissioner for Public Administration and the need for that to be an independent role rather than just another ACT public servant.

Reading out all the recommendations is possibly not a good use of the Assembly's time. I will leave my commentary on the report at this time. I believe that other members of the committee may wish to comment on it. I commend the report to the Assembly.

MR SMYTH (Brindabella) (11.00): I think Ms Le Couteur as chair has covered the report reasonably well. Again, I would like to extend my thanks to the now Dr Cullen and also congratulate her on her academic success. We are very proud of you, Andrea, and we thank you for the support that you give us too as a committee. There are just a couple of other recommendations that I would like to speak to, particularly recommendation 12:

The Committee recommends that the Chief Minister update the ACT Legislative Assembly in six months time on progress with regard to receipt of the federal funding for Constitution Avenue and the Burley Griffin Legacy projects.

As members would know, this is money we have been duded by the Labor federal government on. I think it is important that we follow it up and, as an Assembly, make sure that the moneys that are owed to the territory through agreements made between the federal and territory government are honoured.

Recommendation 13 looks at another area where, of course, we are still waiting on the federal government to pull their weight. It calls on the Chief Minister to inform the Assembly of his forthcoming representations to the Prime Minister, the Treasurer and the minister for finance in relation to the commonwealth government's contribution to the centenary celebrations. I assume the Treasurer and the Chief Minister, will say, "The federal budget is next week; we all have to wait and see." But it is important that we get some assistance as is due. After all, we are actually celebrating the establishment of the nation's capital. You could almost make a case that this should be fully funded by the federal government. But we will get some benefit from it so it is appropriate for the ACT to put in money as well. At this stage we are still in the dark as to what will happen.

Recommendation 13, therefore, affects recommendation 14, which states:

The Committee recommends that the Chief Minister's Department should expedite the broader release of the Centenary of Canberra program as a matter of urgency.

Of course, that will depend on how much money they get out of the commonwealth. There is a bit of chicken and egg there. But time is moving past; the centenary is moving inexorably closer. It is important that people know what that program will be so that we know long-term what it is that will be conducted in 2013.

There are two other recommendations I would like to speak to. Firstly, there is a recommendation concerning the inability of the government to resolve the longstanding issue of the transfer of long service leave entitlements for one particular office, the Long Service Leave Authority, and the broader question of what the government does in this area. It will be interesting to get the government's response to that.

Recommendation 25 is about the relationship between EPIC and TAMS. The committee recommends that the EPIC Park Corporation include in future annual reports an explanation with regard to its relationship with the Department of Territory and Municipal Services. It is interesting the way that it is represented in the annual report. There are more recommendations there—some 34 recommendations—and it will be interesting to get the government's response to them in time.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee

Statement by chair

MR RATTENBURY (Molonglo) (11.04): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Administration and Procedure. In response to recommendations of the Standing Committee on Public Accounts in its report No 15 entitled *Inquiry into the ACT Auditor-General Act 1996* and commentary in the Hawke report, the Standing Committee on Administration and Procedure recently resolved to inquire into and report on the feasibility of establishing the position of Officer of the Parliament as it might relate to the Auditor-General, the Ombudsman and the Electoral Commissioner and other statutory office holders.

Health, Community and Social Services—Standing Committee

Statement by chair

MR DOSZPOT (Brindabella): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Health, Community and Social Services. I wish to advise of a corrigendum to the Standing Committee on Health, Community and Social Services report No 5, *Calvary Public Hospital Options*, tabled in the Assembly on 31 March 2011.

At paragraph 4.20, Mr Peter Lawler is incorrectly referenced as “purporting to speak for the Catholic Church” when, in fact, all comments made in Mr Lawler's

submission were made in his personal capacity. The words “purporting to speak for the Catholic Church” will be removed for the original text. I therefore seek leave to table a corrigendum to the Standing Committee on Health, Community and Social Service report No 5, *Calvary Public Hospital Options*.

Leave granted.

MR DOSZPOT: I present the following paper:

Health, Community and Social Services—Standing Committee—Report 5—
Calvary Public Hospital Options—Corrigendum.

Executive business—precedence

Ordered that executive business be called on.

Justice and Community Safety Legislation Amendment Bill 2011

Debate resumed from 31 March 2011, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR RATTENBURY (Molonglo) (11.07): The Greens will be supporting this bill today. It makes some sensible and practical amendments to legislation relating to the Office of Regulatory Services.

Staff from the ORS play an important role in making the Canberra community safer and more just. They have the role of educating businesses about their legal requirements under the fair trading laws and enforce the law. From the Prostitution Act, the Tobacco Act, to the Second-hand Dealers Act and beyond, the ORS certainly have a diverse group of businesses to work with.

ORS staff really are where the rubber meets the road, in a regulatory sense. They are the staff who get out into the community to enforce many of the laws that we debate and pass here in the Assembly. It seems logical that their time will be best spent out meeting with businesses, educating them about their responsibilities, explaining the processes and, ultimately, enforcing the law where necessary. Time spent on unnecessary administrative tasks is to be avoided.

That is what is at the centre of the bill today—equipping the staff at ORS to work as efficiently as possible. Currently, ORS staff need multiple authorisation cards for all the diverse laws and regulations they operate under. The process of simply issuing these various cards to individual staff has become unnecessarily time consuming.

The government has identified an efficiency gain here where the number of cards can be reduced. The bill today gives this legislative effect, and the Greens support the efficiency measure. It is a commonsense decision which will free up ORS staff to focus on the main job at hand. Even if it is only a small saving per officer, it will add

up over the entire ORS staff, and that is a good result for the Canberra community. The Greens are supporting this bill.

MR HANSON (Molonglo) (11.09): The opposition will be supporting this bill which is one in a series of omnibus legislation to amend laws administered by the Department of Justice and Community Safety. The bill's primary purpose is to streamline administrative arrangements in the Office of Regulatory Services. To enable coordination of the new arrangements for the Office of Regulatory Services, the bill will start on the attorney's written notice.

A number of minor technical amendments are also included. The ACT Civil and Administrative Tribunal Act 2008 is amended to correct a typographical error. The Associations Incorporation Act 1991 is amended to provide consistency between two sections, both of which deal with the process of cancellation of resignation of an incorporated association when it fails to lodge annual returns for two years.

In relation to streamlining administration of the various acts under the eye of the Office of Regulatory Services, this bill amends those acts to enable the Commissioner for Fair Trading or an inspector appointed under the fair trading act 1992 to take on the roles variously of registrar, commissioner, inspector or investigator as appropriate.

This will provide consistency in title terminology and will obviate the need, as is the current practice, for the same people to hold various appointments, as well as separate identity cards, in order to exercise the powers and undertake the duties required of such officers under those acts. The individual functions, powers and duties of commissioners and inspectors under the various acts are not affected. But it means that separate appointments and the issuing of separate identity cards will no longer be required.

The following acts are amended to achieve these outcomes: the Charitable Collections Act 2003; Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; Fair Trading (Australian Consumer Law) Act 1992; Hawkers Act 2003; Prostitution Act 1992; Roads and Public Places Act 1937; Sale of Motor Vehicles Act 1977; Smoke-Free Public Places Act 2003; and Tobacco Act 1927.

These amendments are worthy of support because they create efficiencies in service delivery.

I note the attorney's acknowledgement in his presentation speech of the Assembly's requirement that omnibus bills—that is, JACS bills like this one as well as the statute law amendment bills—should not carry amendments of a substantive or controversial nature. None of the amendments proposed in this bill are controversial. The amendments made to improve efficiency in the Office of Regulatory Services, whilst having some substance, are not controversial and are simple in concept.

I am glad that the attorney seems finally to be getting the message about the Assembly's mind on these things, and we will be supporting this bill.

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

Emergency Services) (11.12), in reply: I note that, even in Mrs Dunne's absence, we had to have the gratuitous swipe at me, Madam Deputy Speaker. So there you go. Mrs Dunne was effectively channelled by Mr Hanson.

The Justice and Community Safety Legislation Amendment Bill is part of a series of legislation that concerns the JACS portfolio. The bill, true to its nature as an omnibus bill, will improve the quality of the ACT statute book. The bill involves a mixture of minor and technical amendments as well as more substantive but uncontroversial amendments.

The bill makes amendments to a number of acts related to the Office of Regulatory Services. These amendments are primarily designed to improve efficiencies and governance arrangements in the Office of Regulatory Services. The bill also amends the Associations Incorporation Act 1991 to correct an inconsistency within that act and makes minor, technical amendments to the ACT Civil and Administrative Tribunal Act.

Members have reflected on the value of reducing duplication and regulatory red tape on the part of the activities of ORS inspectors. I thank them for their support of the legislation and commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Planning and Building Legislation Amendment Bill 2011

Debate resumed from 31 March 2011, on motion by **Mr Barr**:

That this bill be agreed to in principle.

MR SESELJA (Molonglo—Leader of the Opposition) (11.15): The Canberra Liberals will be supporting this bill. I note that it is an omnibus bill which consists largely of technical amendments to several pieces of planning and building legislation and that it has the broad support of industry. Approved government guidelines necessitate that the essential criteria for inclusion of amendments in the bill are that such amendments are minor or technical and non-controversial or reflect only a minor policy change.

According to the accompanying explanatory statement, the proposed amendments seek to finetune requirements for required information for plans in exemption notice applications in the Building Act 2004; make a code of practice a notifiable instrument in the Construction Occupations (Licensing) Act 2004, thus making it publicly available; broaden the scope of the word "generator" in the Electricity Safety Act 1971 so that it will be applicable to residential dwellings; amend the Gas Safety Act

2000 to allow codes of practice to always apply the current version of an instrument, for example, Australian standards; clarify wording in the Surveyors ACT 2007 if a person carries out a survey who is not a surveyor or is not supervised by a surveyor; refine required information when making an exemption notice application as per the Planning and Development Act 2007; and allow a unit title assessment report for stage one of a staged development in the Unit Titles Act 2001.

We have contacted the HIA and the MBA and we have not received any concerns in relation to this legislation. I note also that the Standing Committee on Justice and Community Safety has scrutinised this bill and has found no substantive issues with the amendments.

Allow me to take this opportunity to reiterate that Canberra has a unique planning regime which has, through the years, made a direct impact on our wonderful city. As I once said in the past, Canberra, as a whole, is a leading example of a planned city which has many things going for its residents. I think that this is something that we need to strive to regain and maintain. I think that, whilst these changes are minor, they are no doubt important in ensuring that our planning system continues to contribute in a positive way to the planning of our city and therefore to the amenity of our residents.

We therefore, in conclusion, will be supporting the bill.

MS LE COUTEUR (Molonglo) (11.16): The Greens will be supporting this Planning and Building Legislation Amendment Bill. It is the first PABLAB, as it is known, and I have to say that it makes it easier for us, as non-government members of the Assembly, to monitor the contents and raise relevant issues than if it was all part of a SLAB. I understand that there will be more PABLABs in the future. And I am sure that everybody here looks forward to that.

The bill generally does a number of things to tidy up and improve a range of bills, including the Building Act, the Construction Occupations (Licensing) Act, the Electricity Safety Act, the Gas Safety Act, the Gas Safety Regulation, the Surveyors Act and the Unit Titles Act. The amendments to all these acts are all pretty straightforward and the Greens have no problems with them. We will be supporting them.

But there is one set of amendments in this omnibus bill which contain something of major interest to us, and that is the amendments to the Planning and Development Act. Of note is the amendment in clause 22 which inserts a requirement that consultation comments be available for public inspection for 15 days after the public notification period ends. And this brings inspection of comments on development applications and territory plan variations in line with what is currently applicable to technical variations. Clause 33 also brings arrangements for applications of exclusions of comments to technical amendments in line with comments to other types of applications.

Clause 30 inserts a section allowing for a regulation to prescribe requirements for a social impact assessment for the deconcessionalisation of leases. And this is something the Greens proposed in the EIS legislation development process late last

year. We certainly support ACTPLA having the ability to make guidelines about what can go in the requirements for a social impact assessment. I understand that the intention is that the process for social impact assessment will mirror the environmental impact assessment scoping process.

Clause 28 allows exemption notices for development approvals to be issued, which will no doubt help many property owners when they sell their properties. Clause 31 clarifies what information should be given to the Land Titles Office, which will help keep consistency across the information held by the office.

The key set of issues with this PABLAB for the Greens is noting the amendments around replacing the word “consultation” with the word “notification” throughout sections relating to development applications. Although we appreciate this will not change anything around the way that the community comment is handled for development applications, this is a major symbolic change. Through this PABLAB, the Planning and Development Act has undergone a reality check, and the bill tabled today recognises that sticking a sign in the ground is not, in fact, consultation. It is notification. So from that point of view, we actually very much support the change.

However, I have often been contacted by members of the community who are frustrated that ACTPLA has not done sufficient consultation on particular developments and it has not of course been clear to the general public that ACTPLA in fact only has to notify a development application and that notification is not consultation.

During his tabling speech, Minister Barr stated this bill will make modern, accessible planning laws and ironically noted in that speech that the most important is the community. The explanatory statement for the bill states that the clauses will clarify the nature of notification, vis-a-vis consultation, for development applications. Thus, I do support the contents of the bill before us today.

But I would also like to take the opportunity today to put forward a number of amendments around the current—I am not sure whether I should use the word “consultation” or “notification”—processes, both the pre-development application processes and the consultation processes for the range of development applications.

As well as the issues I am attempting to solve through my amendments, there are also a number of problems with the Planning and Development Act and related processes which I would like to raise today, some of which I have outlined on previous occasions. I have received many suggestions from members of the community on how we could improve the planning legislation, as I am sure many members have also done so. But here are some which I will go through as having some merit.

Generally, I believe there needs to be more in the way of a planning 101. There needs to be more basic information about development application processes available on the ACTPLA website and in a booklet form for people who do not have easy online access or people who find online access hard to deal with.

I do acknowledge that the ACTPLA website has improved over the years and I also acknowledge that it is very large and has a lot of information in it, which is both good

and bad. It means that, unfortunately, often people find it hard to use when they first start, because they usually first start because there has been a development somewhere nearby, they do not like the look of it and they start in sort of at the deep end.

The design and build section has information that everybody needs but it is not obvious that that is the information that you actually want to go to at the beginning. "Development applications—a quick guide" is one of the most useful things on the ACTPLA site but again is somewhat buried and many people may not find it at the moment at which they need it, i.e., usually the first time they go to the ACTPLA site.

Another issue is that information about development applications on the ACTPLA website generally does not have a summary of the proposal, especially for lease variations. A summary would be useful, because sometimes you have a hundred documents with some DAs and it is quite hard often to work out which is the document that you should open to actually give you an idea about what on earth it is that this DA is about. And often people waste a lot of time opening the wrong things and just do not realise what the plot is. A summary would be useful for these applications.

A summary would also be very useful in the information which is sent around each week by ACTPLA to the community councils. They send around a list of the DAs which they think might be controversial, but the list does not have a description as to what is in the DA and does not have a link to that DA on ACTPLA's website. My suspicion is that many community councils, who do not of course have a lot of resources, do not go through and actually investigate what is in that notification.

If ACTPLA spent an hour or two more each week putting in a little more information, I think it would pay off in the long term, because it would mean the community councils would notice at the beginning that, yes, these are the ones which are likely to cause angst in our community and make sure that people know about them in enough time to actually consider the application, consider whether they really have a problem and make a considered response rather than a knee-jerk response at the end. I think in general we do have to look at our methods of notification.

A year or so ago a private group put together a notification system so that you could be notified of DAs that were within a geographic area. I subscribed to it. This seems to have ceased. I am not quite sure who was funding it but this is the sort of thing that I would like to see the government look at when it looks at the government 2.0 motion, which we passed in the Assembly a few weeks ago, because this was done by the group who did it just by screen-scraping off the ACTPLA website. ACTPLA could easily set up a notification system so that you were notified electronically of all the DAs that are within a kilometre of your house or something like that. And that would, for the people who are interested in planning, probably cover a lot.

But one of the biggest problems with notification of course is that most people actually are not that interested in planning until something happens in their immediate neighbourhood. So we need to look at ways, apart from a small notice in the *Canberra Times* and the notice actually on the development, of notification. I do note the community engagement section in the *Canberra Times* has been a big plus and maybe

we should have more significant DA notifications there. We should obviously look at the web more. I have talked a bit about that. We should look at radio. We need to look at this issue.

One of the things that have been suggested to me on many occasions—virtually everybody says—is that ACTPLA should not be doing just notifications. They should be taking a consultative role and they should be taking a stronger role in attempting to ensure that development best meets the needs of the community, the intentions of the developer, the territory plan and the general direction the community and Canberra as a whole wishes to move in. I really understand what the community is saying and I have a great degree of sympathy with it.

But I do hesitate to suggest that—and I am not actually going to be suggesting this as part of my amendments, because it does not fit in with our current model of how ACTPLA works—ACTPLA currently is not interventionist. It is a statutory authority as far as this is concerned. It also would be an awful lot of work and it would be a very political process, but I do understand why the community is frustrated and thinking that there should be some mediating role and that they, as people who are not planning professionals, are not really in a position to, in effect, as they feel, go up against ACTPLA and the developer in trying to get their voice heard.

I do not really know the solution, but one possible way to do this would be to require development applications to conform with local neighbourhood plans, as these should already have the characteristics desired in the neighbourhood built in. But of course, the status of neighbourhood plans is yet another ongoing planning consultation discussion and I do not intend to go further into that today.

I would also talk about two particular issues relating to appeals to ACAT. The first is the issue of joint standing. It is very disappointing to note that you cannot be joined to an ACAT case if you do not have standing in your own right, even if you have a good case and relevant information to contribute. Surely if a development application is flawed, it really should not matter who is appealing, whether or not they have standing. What should be more important is ensuring that developments adhere to the territory plan and the relevant laws and codes.

Secondly, it has been suggested that a formal process should be established whereby the government responds to recommendations from ACAT. I raise this, thinking particularly about the Latham case early last year, when ACAT made comments about the human rights obligations; yet the government was in no way obliged to respond. I guess, in regard to the ongoing saga at Kingston Foreshore where we have had a succession of ACAT decisions, there is still some lack of clarity as to exactly what is proceeding there. Overall though, the Greens are supporting this bill.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (11.29), in reply: I thank the Leader of the Opposition and Ms Le Couteur for their support of the bill. I recognise Ms Le Couteur has flagged a series of amendments and I will talk a little more about that in a moment.

Given that the planning minister has responsibility for 20 acts and their respective pieces of subordinate legislation, the process for this PABLAB debate is an effective and flexible tool to consolidate minor, non-controversial amendments to the building and planning legislation and, in my view, provides a practical and expedient response to amend minor technical and typographical errors, to clarify uncertainties, to remove redundancies and to address minor policy challenges. So this first PABLAB, as Ms Le Couteur indicated, amends parts of the Building Act, the Construction Occupations (Licensing) Act, the Electrical Safety Act, the Gas Safety Act, the Surveyors Act, the Unit Titles Act and the Planning and Development Act and Regulation.

Individually, each of these amendments is minor but cumulatively they ensure that our planning and building legislation is up to date and reflective of contemporary practice. The most important change in this PABLAB is the clarification of language used for notification in relation to development applications.

Ms Le Couteur indicated that this clarification is necessary because the Planning and Development Act uses both “consultation” and “notification” in relation to DAs, which confuses what is actually required. I do stress, though, that it is a clarification of language only. It does not change the intent of the act or how development applications are assessed.

The intention of the act is that DAs be notified when they are submitted, to allow the community to have the opportunity to make a comment on the proposal. There is no role or scope for ACTPLA to consult on a DA once it is submitted. It is critical, in my view, that the planning authority remains impartial in its assessment processes and considers applications on their merits, having regard to the planning rules that are set by the Assembly. Therefore this bill amends those sections of the act where the word “consultation” is used in relation to DAs, where the intent of the provisions is actually notification. Consultation on a development application is clearly the role of the proponent and, I say again, should occur before a development application is submitted.

Future amendments to the Planning and Development Act, which I have foreshadowed in this place, will further clarify the role of a proponent in consulting with the community prior to the lodgement of certain development applications. It is my intention to introduce such legislation later this year.

This PABLAB and those that will be introduced in the future make a series of minor but important changes to a range of legislation to ensure the ongoing quality of the overall ACT planning and building laws.

I note in Ms Le Couteur’s contribution that she made reference to some amendments. Can I state from the outset that I do not disagree markedly with the sentiment of her amendments and, as I have indicated, support the need for greater clarification around the requirements for notification and consultation of development applications. And that is why the PABLAB sought to amend the Planning and Development Act to clarify language around DA notification and it is why I have foreshadowed future

amendments to the act that will clarify the requirements for pre-lodgement, proponent-led consultation on certain developments.

But I need to state clearly that the government will not support amendments that undermine the intention of the track-based development assessment system. The track-based assessment, which is based on the development assessment forum's leading practice model, was adopted unanimously by the Assembly to ensure a simpler, faster and more effective approach to development applications. Development applications are channelled into tracks, depending on the type of development and its compliance with the rules of the territory plan or its application of the criteria.

At its core, the leading practice model ensures that the level of assessment of a proposal is commensurate with its complexity, without compromising the quality of decision making. This is also true for the level of public notification that a development application requires: the bigger the likely impact of the development, the more extensive the notification of the proposal.

However, the draft amendments that I have seen that have been proposed by Ms Le Couteur I do not believe have regard to these fundamental principles of the planning system, particularly in relation to the amendments that are proposed for the code track notification. I think it is worth noting that there are currently no developments that utilise this track.

Much of the development that would have been channelled into the code track, such as single dwellings, has been deemed exempt development and does not require development approval. I think it is an important principle that we do not unfairly burden this track in case it is required in the future. The code track is designed to be fast. The proposal either meets all the rules in the code and is approved or it does not meet all the rules and is refused. It does not require any notification because the rules of the code provide certainty of development outcomes to the community and the proponent.

To suggest that the code track should require some form of public notification undermines the intention of this track and the track-based assessment system more broadly. It would unfairly raise the expectation that there is an opportunity to comment on the proposal or influence the development, when there is none. If a development meets all the rules, there is no scope for subjective assessment—it is either yes or no, a tick or a cross. To subject the proposal to notification and public comment will also undermine the certainty that the rules provide to proponents, who have sought to streamline their proposals by adding an additional 10 days to their assessment period.

But I appreciate that for developments where there is no requirement for notification, such as those within the code track or exempt developments, there is a need to alert the community that building is happening. That is why the government is drafting amendments, which will be introduced in the second PABLAB later this year, which would require a notice to be erected on all blocks where building work was occurring. In the case of code-assessable or exempt development, this will provide, if you like, a

heads-up to local residents that building is about to commence where there has not been a requirement to notify them of the proposal.

In terms of minor and major notification, the Planning and Development Act and its Regulation aligns a level of notification to the likely impact of the development. Minor notification means that the adjoining lessees are notified that a development is proposed and the DA is placed on the ACTPLA website for access only by those lessees. For example, a single house that does not meet the rules of the single-dwelling residential code but addresses the criteria is subject to minor notification. Ultimately, the notification of this sort of DA is limited because the likely impact of that development is contained to their immediate neighbours. It is unlikely that the neighbour two doors down or 200 metres away will be impacted by the development. In these cases, only adjoining lessees are notified, and only they receive web log-on details to access the plans and related documents.

Widening the requirements for minor notification, as Ms Le Couteur suggested in the draft amendments I have seen, would, in my view, be over-complicating the notification arrangements for developments that have a relatively contained impact. As I have just foreshadowed, PABLAB No 2 will propose a trigger to erect a notice on site where building work will occur, which will alert neighbours further afield that work is commencing.

Importantly, where the broader neighbourhood and community are likely to be impacted by a development, such as a dual occupancy or a multi-unit development, the DA is subject to major notification. Major notification requires that adjoining lessees are notified, that a sign is placed on the block, that a notice is placed in the daily newspaper—and, since we have only choice, that is the *Canberra Times*—and the DA is put on the ACTPLA website. More people are actively notified because the likely impact of the proposal is greater. But it is important again to remember the distinction between notification and consultation.

So far, I have spoken about the notification of DAs, which is the statutory responsibility of ACTPLA. However, when it comes to consultation with the community on proposed developments, it is important to remember that this is the role of the proponent. I believe Ms Le Couteur and I are in agreement that the requirements for proponent-led, pre-lodgement consultation for certain developments should be legislated.

But it is important to get these requirements right so that they properly benefit the community without unfairly burdening the planning system or proponents. This is not just a matter of legislating the requirement for a DA lodgement form, nor is it a matter of adopting proposed amendments to the Planning and Development Act that, frankly, we have had less than 24 hours to thoroughly review. I think it is imperative that the requirements for pre-lodgement consultation are meaningful but are not unnecessarily onerous and that any consequences of legislation in this area are carefully considered.

As such, the Planning and Land Authority, at my direction, is investigating options, and I will be introducing further amendments to the Planning and Development Act later this year to legislate the requirement for pre-lodgement consultation for certain

developments. I do not want to pre-empt these further amendments or compromise their effectiveness by agreeing to what Ms Le Couteur has put forward to my office in the last day or so. I think that would be putting in place inappropriate measures in the interim.

The ACT has one of the best performing planning systems in the country and this is a credit to its foundation in the DAF leading practice model. Its track-based assessment provides the levels of notification and assessment relative to the likely impact and complexity of a development.

So, in that context, we are very pleased to support this bill to the in-principle stage today. I understand Ms Le Couteur wishes to move ahead with her amendments. I think it would be best if there were some negotiation around those and all parties had the chance to discuss them with a little more than just 24 to 48 hours notice.

Mr Seselja: More than we got.

MR BARR: Indeed. So I think it would be appropriate to advance this bill through the in-principle debate today and adjourn it until June, to consider the Greens' amendments. I foreshadowed a piece of work that we are undertaking in terms of a second bill. It may well be that the Greens may be happy to wait and see what the government comes forward with then, or to engage with government before then, on what might be contained within that legislation. That is a matter for Ms Le Couteur to consider and to do so over the next six or eight weeks.

But in closing, can I again thank members for their support of this legislation. I note, of course, the issues that we will need to deal with later this year and look forward to getting a good outcome for the community and for our Planning and Development Act.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clause 1.

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

Sitting suspended from 11.43 am to 2 pm.

Questions without notice

Energy—feed-in tariff

MR SESELJA: My question is to the Minister for Energy. Minister, this morning your federal colleague the minister for climate change announced that the government will be cutting the solar panel subsidy because the scheme contributed to higher electricity prices. The minister also stated that state schemes that pay households to feed their surplus power back into the grid created price pressures. Minister, given the

comments, will you reconsider your decision to keep the premium rate for the feed-in tariff scheme at 45.7c per kilowatt hour?

MR CORBELL: No, not at this time.

MR SPEAKER: Mr Seselja, a supplementary?

MR SESELJA: Thank you, Mr Speaker. Minister, why is it that your federal colleagues care about the cost of living pressures caused by their policies and you do not?

MR CORBELL: It is just not true, Mr Speaker. It is disappointing to see feed-in tariffs being used as a scapegoat for rising electricity prices. We know what the major drivers of rising electricity prices are and they are not feed-in tariffs. Indeed, feed-in tariffs contribute less than five per cent to the total amount of rising electricity prices nationally. It is the same here in the ACT. We know that the main factor driving the increase in electricity prices is the need to augment network distribution capacity because of growing demand for electricity across the national economy. We know that that is the major factor that is driving the uptake, the increase, in electricity prices.

The announcement of the decision today by the federal government is disappointing in that it signals a sudden shift in policy when, in fact, there should be—I think in the view of the solar industry and the renewable energy industry more generally—a gradual and clear pathway in terms of adjustment. But, that said, that is a prerogative and a matter for the federal government. But it is wrong to suggest and it is wrong to use feed-in tariffs as a scapegoat for rising electricity prices. The fact is the major element that drives increases in electricity prices is the need to augment existing generation and distribution infrastructure, not feed-in tariffs.

MR SPEAKER: Mr Smyth, a supplementary.

MR SMYTH: Minister, given that the ACT feed-in tariff scheme works on a gross basis, do you agree that your policy has increased electricity prices greater than necessary?

MR CORBELL: I do not agree that it has increased electricity prices greater than necessary. The fact is that feed-in tariff policy provides incentives for people to make the shift to renewable energy generation and, in doing so, creates jobs and activity in the local economy. And that has been the real success of the feed-in tariff scheme.

Is there a cost to consumers? Yes, there is. That has always been acknowledged. It has always been recognised. And that has been a very clear and careful consideration for the government in establishing its feed-in tariff policies.

But it surprises me that those opposite—like Mr Seselja who says, “I am of the generation that does not need to be convinced about issues around climate change,” and who spends every waking hour of his day when he comes to this place bagging a policy that creates jobs in a low carbon future, bagging a policy that is now being supported by thousands and thousands of households across the ACT, bagging a

policy that drives the uptake of renewable energy generation, bagging a policy that creates jobs in a low carbon future for our city.

This government will stand up for solar. It will stand up for renewable energy generation. It will stand up for policies that show the way towards a low carbon future and it will refute the scaremongering of those opposite who seek to use feed-in tariffs as a scapegoat for rising electricity prices when such a suggestion does not accord with the facts and is not consistent with any credible analysis which shows that the key drivers of increases in electricity costs are network augmentation and generational augmentation, not feed-in tariff policies.

MR SPEAKER: A supplementary question, Mr Smyth?

MR SMYTH: Thank you, Mr Speaker. Given your federal colleague's comments that subsidies disadvantage low income earners, how do you see this applying to the ACT?

MR CORBELL: In relation to what?

Mr Smyth: The cost—the cost of electricity?

MR CORBELL: In relation to what? What, in relation to federal government policy? It is not a matter for me to comment on federal government policies.

Budget—clean economy strategy

MS HUNTER: My question is to the Chief Minister and concerns the government's clean economy strategy and its application to this year's budget. Chief Minister, the government commissioned Canberra university to scope out issues relating to a clean economy and also invited submissions on its issues paper last year. We have not heard anything about it since then. What impact has the paper had on any of the government's budget decisions this year.

MR STANHOPE: I thank Ms Hunter for the question. I believe it is a question that Ms Hunter asked not all that too long ago. On that occasion I was able to advise Ms Hunter of the work that had been done, most particularly by the University of Canberra, whom we had engaged to work with us in the development of a strategy. I think Ms Hunter has been briefed on the matter or is certainly aware of the work that we have done.

We commissioned the University of Canberra to undertake initial scoping as consultants to capture the current state of thinking and program approaches around the development of the clean economy. A product of that study was a framework for the Australian Capital Territory clean economy strategy, which has been completed and was presented to government.

The framework report concludes in broad terms that the clean economy strategy should encompass initiatives that support industry to implement green development programs, including initiatives for the built environment, support for the clean sector, business program support and support for renewable energy. The government released

the study for public comment on 17 September last year, and submissions were invited.

Representatives from the business, industry and development area of the Chief Minister's Department consulted with the community during October and November—

Ms Hunter: Mr Speaker, I just want to point out that my question was not necessarily about that process; the question was actually about what impact has that paper had on any of the government's budget decisions this year.

MR SPEAKER: Chief Minister.

MR STANHOPE: Well, I was getting there. I thought Ms Hunter would be interested in the context. I think each minister would be more than happy to outline initiatives within their own portfolios that are designed to ensure that we do meet the demanding targets that we have set in relation to our goals and aims in relation to carbon reduction. I think in the context of an initiative, a significant issue of most relevance to my portfolio is, of course, the decision which the government has taken to construct a government office block.

We were driven very much in that decision by some of the environmental benefits that will be achieved as a result of pursuing that particular project. The government has taken a decision to seek very high levels of environmental sustainability. We know that comes at a cost, and some of the issues in relation to the cost of building are, of course, involved with deliberate decisions, policy decisions, that we have taken relevant to our commitment to a clean economy.

In relation to our own accommodation and power needs, one of the significant cost savings that we will achieve year on year, which others in this place, particularly the Liberals, are seeking to ignore, is, of course, a reduction in energy use. The building we propose, the government office building, will be designed and built to very high environmental sustainability ratings. It will deliver a 79 per cent reduction in energy consumption and CO₂ emissions when compared to existing ACT government office buildings. That is part of the benefit of moving from the C and D-grade buildings we currently occupy to an A-grade building built to our specifications and design.

We will, through this particular project, achieve a 79 per cent reduction. It will exceed owned office accommodation of the government currently and the government's stated 2020 target of a 40 per cent reduction in greenhouse gas emissions compared to 1999 levels. Indeed, I think it is fair to say in the context of our commitment to achieve carbon neutrality in all government properties—(*Time expired.*)

MR SPEAKER: Ms Hunter, a supplementary question?

MS HUNTER: Minister, how many submissions were made to the discussion paper on a clean economy and have they been made publicly available?

MR STANHOPE: I thank Ms Hunter for that question. I will just conclude that last point I was making because I think it is very relevant to the question. In the context of

the commitment we made to achieve the objective of carbon neutrality in all government owned property by 2020, I believe the most realistic chance we have of achieving that particular target—and it is a good target, a strong target; we have committed to carbon neutrality in all government owned property by 2020—and the most significant step we can take in order to achieve that target is to construct this office block. As I said, it will create of itself a 79 per cent reduction in energy consumption and CO₂ emissions when compared to existing ACT government office buildings.

That is part of the significance and the rationale for our commitment to this particular project—that the environmental benefits, and the significance of the environmental benefits that we can achieve, are enormous. I am sure you would be interested to know, Ms Hunter, that one of the consultant companies that we have engaged—indeed, a member of the ACT Property Council—Arup, are the consultants engaged by the Molonglo Group in relation to the Nishi, which is the most outstanding building in the ACT in terms of its sustainability credentials.

In relation to the number of submissions, I am more than happy, Ms Hunter, to take advice on that. I do not know the answer to that. I am more than happy for you to be briefed on it. I will take advice on whether or not those submissions were made in the context of their potential release. If they were, I will be more than happy to ensure that you receive a copy of them.

MS LE COUTEUR: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Chief Minister, what whole-of-government work is being done to ensure that the clean economy strategy development is developed in tandem with the government's energy and waste strategies?

MR STANHOPE: I thank Ms Le Couteur for the question. In a precise sense, Ms Le Couteur, I am not sure I can answer your question, but of course in relation to the development of policies around a clean economy and around sustainability and around those initiatives which we pursue to ensure our sustainability, whether it be in relation to waste, electricity use or the efficient use of energy, there is significant cooperation, enhanced, of course, by the work which the minister for the environment is doing in relation to the development of a range of new policy responses to these issues, most particularly the new waste strategy and the work that is currently being done across government in relation to the production of a new updated version of weathering the change.

There is significant cross-agency work being undertaken in relation to all of these issues, which does involve all agencies, as you would anticipate. The minister is working actively on all areas of sustainability as we revise, most particularly, weathering the change and the raft of strategies that underpin that.

MS BRESNAN: A supplementary?

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. Minister, when can we expect to see the government's clean economy strategy released publicly?

MR STANHOPE: In the information that I have been provided in relation to this—and I do not have a most recent update; it is some little while ago, I think within the last few weeks—I was advised that we will be in a position to release the final clean economy industry strategy, as a result of the work initiated with the reference to the University of Canberra, before the end of this financial year; in other words before the end of June.

Taxation—change of use charge

MR SMYTH: My question is to the Treasurer. Treasurer, I refer to comments made by the Property Council of Australia's ACT division and reported in this morning's *Canberra Times* that the change of use charge could lead to a drop in value of a home in redevelopment areas by up to \$100,000. Minister, do you have any modelling to suggest that this would not be the case?

MS GALLAGHER: As Mr Smyth will know, there has been detailed modelling done on the implementation of the codification of the change of use charge. I am sure that he has pored over all those reports. There is nothing in those reports that would suggest a devaluing of properties to that order. Indeed, some of the perverse outcomes we have seen from the very low rates of change in use charge have had the opposite effect, Mr Smyth. The move to codification should deal with that.

Take, for example, a home in Forrest for sale in the order of \$1.1 million to \$1.2 million; two potential buyers—one wanting to live in a house; the other a developer who wanted to redevelop that house. The one who wanted to live in the house is prepared to pay \$1.1 million to \$1.2 million; a developer who wanted to subdivide and put on additional units prepared to pay \$1.7 million, only to demolish the house. So what we have been seeing on the very low change of use charge has been exactly the opposite effect of overvaluing property in order to deliver a multiunit development on that site.

My answer in short, Mr Speaker, is no, we do not believe that the modelling that the government has commissioned that is available, that has been tabled in this place, would support those claims. I would suggest, with all due respect, that the property industry, representing property developers in town with the knowledge that a property development charge is increasing in line with community expectations, would seek to run a very effective scare campaign around those charges.

I understand what they are doing. Their members do not want to pay more. They have made that very clear to me. Their members—developers in this town—do not wish to pay more. They all accept that they were paying too little. They have all been through the door saying, “Yes, Treasurer, we know that times were very good before and it was a nod nod, wink wink; nobody said anything. Now that you have uncovered that we do know that we have to pay more. We are prepared to pay upwards of \$10,000 per unit but anything over and above that would actually be starting to be a bit uncomfortable for us.”

We have had those conversations, Mr Smyth. So it is no surprise that the property industry, representing property developers, is now trying to go out with their campaign and say to every mum and dad who have no intention of moving or redeveloping that this charge is going to affect the value of their house. It is simply not true and it is no surprise that the Property Council are going to maintain this scare campaign because they have been doing very well on the back of redevelopment opportunities in this city; very well. Yes, this increase in the change of use charge may actually impact on the very, very, very healthy margins that developers have been reaping over the last five to six years through the very low change of use charge that has been applied.

It may and because of that they may resist this change. We have picked that up. But this change is required. It is good from a business point of view. It provides certainty, it provides clarity and it provides to the community a rightful return on the asset which has been granted to someone else. It is interesting that the opposition, obviously, in light of this campaign from the Property Council, have decided that they too can join this bandwagon and that they too can deny the community a rightful share of our community assets so that we can put more money into social housing, more money into public housing, more money into concessions to support low income households. (*Time expired.*)

Opposition members interjecting—

MR SPEAKER: Order! Mr Smyth has the floor for a supplementary.

MR SMYTH: Thank you, Mr Speaker. Treasurer, what has your government done to ensure that this change of use charge will not lead to a drop in value of existing homes in redevelopment areas?

MS GALLAGHER: I did not accept the proposition put that it would. But what the government has done is, in light of and in the interests of working with industry across the ACT, in partnership we have agreed to some very, very generous transition arrangements, starting at 75 per cent remission of the actual value of the benefit. We are saying, “This is the actual value of the benefit and we are going to give you a 75 per cent remission.” Indeed I see here a note that has gone out from LJ Hooker recently, in light of the announcement in the budget, saying:

Is your property currently in a redevelopment zone? Yes, you need to know about this ...

Finally, the ACT Government has announced, through the 2011/2012 Budget, the legislation that will apply for any Change of Use Charge for residential land being developed.

It goes on about the reports that have been done and what the new fee will be. It then goes on to talk about the remissions and says that, if you were going to do a development in Dickson, where a redevelopment would be for 11 to 20 units a lease variation charge of \$50,000 per unit would apply. It continues:

However in 2011/12 with a 75% remission the charge would actually be \$12,500 per unit....

These changes will have a major impact on the attitude of developers towards redevelopment ... Clearly there will be a race to submit proposals early rather than later.

So acknowledgement that the sky is not going to fall in this year, that actually the time is right to get your development on the table and planned and ready to go—

Mr Seselja interjecting—

MR SPEAKER: Thank you, Mr Seselja!

MS GALLAGHER: in recognition of the transition arrangements that we have put in place over the next four years—very generous transition arrangements that have been put out for the next four years. This government is saying to the property industry: the market will adjust—

Opposition members interjecting—

MR SPEAKER: Order, members!

MS GALLAGHER: Exactly, Mr Speaker. The market will adjust. The price is there—

Mr Barr interjecting—

Mrs Dunne interjecting—

MR SPEAKER: Mr Barr, Mrs Dunne, thank you.

MS GALLAGHER: The return to the community is required. This is a good change. *(Time expired.)*

Mr Smyth: I raise a point of order, Mr Speaker. Under standing order 213 perhaps the minister would like to table the document she was just quoting from.

Ms Gallagher: No. Go and get it yourself, Brendan. It's a private document.

Mr Smyth: Mr Speaker, under the standing order I will move that the minister now table the document.

MR SPEAKER: Treasurer, are you going to table the document or are you going to—

Ms Gallagher: I will give them a clean copy. I have got some doodling on it, Mr Speaker.

MR SPEAKER: Treasurer, can we arrange to have that in the next while?

Ms Gallagher: Yes.

MR SPEAKER: Under standing order 213 it has to be ordered, but if the Treasurer is willing to just hand it over we can do it that way. How would you like to proceed, Treasurer?

Mr Stanhope: I think it says “Mr Smyth is such a fool”. I am not sure that that is parliamentary.

MR SPEAKER: Order! Chief Minister, what I am trying to say is that I am happy for the Treasurer to bring in a clean copy—

Ms Gallagher: It is fine.

MR SPEAKER: Do we need to go through the process or is the Treasurer just going to hand the document over?

Ms Gallagher: No. It is fine. I just drew on it. I drew a circle on it. I table the following paper:

Lease variation charge—LJ Hooker Dickson Sales Market Update, dated 4 May 2011

MR SPEAKER: Thank you. A supplementary, Mr Seselja?

MR SESELJA: Thank you, Mr Speaker. Minister, given you have said that there will not be any impact on existing property prices, are you now acknowledging that prices will be passed on to buyers and renters?

MS GALLAGHER: No, I am not, Mr Speaker. The price of what a unit or a house will be set at will not be determined by the change of use charge. I can assure you of that.

MR SPEAKER: A supplementary, Mr Seselja.

MR SESELJA: Treasurer, given you have now ruled out rents and the cost of purchasing, is it your position that the entire change of use charge will be absorbed by developers?

MS GALLAGHER: Maybe. It is up to the market to determine the price that people are prepared to pay for housing.

Budget—proposed government building

MR HARGREAVES: My question is to the Chief Minister. Why is it that the government office block funded in this budget is a good investment and does the government view differ from that of the Property Council?

MR STANHOPE: I thank Mr Hargreaves for the question. It is a very important question. The government office block is indeed a very good investment for the people of the ACT. It is a very good investment in a number of ways: firstly, because it delivers the best financial outcomes of all options available to the government in relation to its accommodation needs; secondly, as I went to earlier, it delivers the best environmental and sustainability outcomes possible and will help us meet our targets in relation to carbon neutrality; and, thirdly, it invests in our people and will improve the efficiency and quality of services delivered to the Canberra community. It is very consistent with the report of Dr Hawke.

I will go into some of the detail of that. The member asks, of course, for a comparison of views of the Property Council. We reject absolutely the attitude the Property Council has taken to this particular development. I think this would be almost an historic first—the Property Council of the ACT not agreeing with or supporting the development of property.

Ms Gallagher: Well, it's not their property.

MR STANHOPE: It is not their property, and I was going to go to that point. The Property Council are coming out and declaring themselves fundamentally opposed to the development of a major piece of infrastructure, a government office block. They do not normally do that. Why are they doing it this time? They are doing it this time because of the inherent conflict of interest for the Property Council and its members in relation to this. Who is it that is opposing this development? They do not normally oppose development. They only oppose development that might actually provide some competition to members of the Property Council. This is about members of the Property Council trying to defend their position in relation to the market.

Of course, they are concerned about the fact that the government's proposal would involve us moving staff from 19 separate locations, many of them—surprise, surprise—rented to members of the Property Council. Who owns the buildings that we will no longer need to rent? Members of the Property Council. Who is it that is objecting to the construction of the office block? The Property Council. We know, and we accept and understand it—and we would be the same—that members of the Property Council just love to have government tenants. We are the preferred tenant always, the number one tenant. Major owners of office blocks love government tenants. They love being able to get their teeth around the government teat. They love their nose in the government trough. When it comes to the Property Council, we know where the Leader of the Opposition, Mr Seselja, likes to have his nose.

The interesting aspect of this debate is the fact that the Leader of the Opposition is in lockstep with the Property Council. I have previously referred to the Property Council rather unkindly, but I think truthfully, as the daytime branch of the Liberal Party. I have not before seen a representative organisation behave in the way that Catherine Carter and the Property Council have this week. I must say when I saw the Property Council's press release on the change of lease charge, when I first read it I actually assumed it was the Liberal Party's release. Then I read the Liberal Party's release and indeed the language was the same. It occurred to me that really they just topped and

tailed the same release. It begs the question as to who wrote it. Was the release actually written by Catherine Carter and referred to the Liberal Party or did the Liberal Party write it and refer it back to the Property Council—because it is the same release?

I must say I am stunned—I am quite astounded—today to see the release by Catherine Carter in relation to “Oh, we need a public inquiry into this; we can’t trust the government and we can’t trust the government’s advisers”. Who were the government’s advisers? Indeed, two of the most significant and influential advisers to the government on this project were members of the ACT Property Council. (*Time expired.*)

MR SPEAKER: Mr Hargreaves, a supplementary question.

MR HARGREAVES: My supplementary is: can the Chief Minister outline the cost savings to be realised through the building of a government office block, and who was it that gave advice to the government which gave rise to this decision?

MR STANHOPE: There will be significant cost savings, and we have, as you would understand, engaged the most significant experts in relation to the process of developing and scoping this particular project. We have along the way engaged Fife Capital, KPMG, led by Craig Sloan, Arup, David Trebeck, formerly the chairman of ACIL Tasman, CBRE, Clayton Utz, Cox Humpries Moss, among others. The collective advice is that the proposal that the government has on the table is the best for the government, the best for this community, representing cost savings in the order of—up front, straight, in relation to rent, utility costs and other savings—\$19.3 million, with another \$15 million of savings as a result of the co-location, a \$30 million annual saving to the ACT budget.

Why is the Liberal Party, again in lockstep with the Property Council, indistinguishable on these issues, defending the interests and the income stream of their mates, millionaire developers, against the public interest? When it comes to a conflict between the public interest and the private interest of these millionaire developer mates of the Liberal Party, you see Zed Seselja there supporting his developer mates. You see it in relation to the lease charge—\$3 million a year that he thinks should not go to the community but should go to developers. In this particular instance, in relation to this building, there is \$30 million that he believes should go to his developer mates and not to the community. Just on those two items together, there is \$50 million that he does not want the community to have access to but wants it to go to his millionaire mates.

MR HANSON: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Chief Minister, of the \$430 million to be spent on the new office block, how much will be dedicated to public art?

MR SPEAKER: Chief Minister, could you keep this very brief. It is 2.30, so could you give a very brief answer, thank you.

MR STANHOPE: What I can say—and I think members need to understand this—is that a number of buildings will be freed up. In terms of the cost, somewhere in the order of the first \$100 million of the cost, of course, will actually be offset by the sale of ACT government buildings. We need to understand this in relation to bandying around the \$430 million. The first \$100 million will be offset by the sale of surplus ACT government buildings. There will be significant benefits.

Mr Hanson: A point of order on relevance, Mr Speaker. It was directly about how much as a percentage of the \$430 million will be spent on public art, and I ask the Chief Minister to come to that point.

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

MR STANHOPE: I will come to that.

MR SPEAKER: Members, we have actually hit 2.30. Under the revised standing orders, we now have to go to the Leader of the Opposition's budget reply speech.

MR STANHOPE: I assumed Mr Hanson was keen to ensure Mr Seselja did not start.

MR SPEAKER: Mr Hanson can ask the question on notice if he wishes.

It being 2.30 pm, questions were interrupted pursuant to the order of the Assembly.

Appropriation Bill 2011-2012

Debate resumed from 3 May 2011, on motion by **Ms Gallagher:**

That this bill be agreed to in principle.

MR SESELJA (Molonglo—Leader of the Opposition) (2.31): Mr Speaker, it has been said by some that what the Treasurer handed down on Tuesday was a budget of beige, a bland budget. I do not agree with that analysis. Not when there are \$650 million in new borrowings, on top of all the debt we already have. We now have record borrowings. Not when rates have nearly doubled for Canberra households since ACT Labor came to power. Record rates. Not when taxation has gone from \$1,800 per person when Labor was elected to a projected \$3,500 for every person in the territory. We have record taxes. And not when we are still in deficit—even with nearly \$4 billion in revenue.

Mr Speaker, there is nothing “boring” about having your taxes doubled. This is not a beige budget. What this government have done is taken their rivers of gold and turned it into a sea of red.

The first and most basic question to be asked about this budget is: how much money is there? At this point, I really do have to take on some of the consistent myths spun by the Treasurer that they are short of revenue. It is simply not true.

Let me be blunt: whatever problems Katy Gallagher and ACT Labor have, that the government is short of money is not one of them.

We have heard Katy Gallagher talk about the GFC, to try and pretend there are serious strains on the budget. There are not. On 5 May 2009 the Treasurer claimed that the ACT's budget deficits in coming years were caused by "a range of external factors beyond our control", most notably the global financial crisis.

Let us debunk this. Let us look at the numbers. In the 2008-09 budget, the forecast revenue for the coming financial year was \$3.738 billion. Then the GFC hit. The forecasts took a downturn. ACT Labor responded not by trimming their expenses but by spending even more, and borrowing to do it.

History now shows that the GFC did not hit Australia nearly as hard as the rest of the world, and it did not hit the ACT nearly as hard as the rest of Australia. This is proven in the revenue forecast in this budget, anticipated to be \$3.982 billion. That is nearly \$250 million more than the government predicted back in 2008—before the term "GFC" had even been invented.

That means we need not have run up the big debts; we should be in surplus sooner. In 2009 I warned of this fiscal sleight-of-hand when I pointed out that the forward estimates were projected to be a "boom-time best"—or \$3.8 billion in 2012-13. Yet we were still expecting a \$150 million deficit.

As it turns out, we are now expecting more than \$4.1 billion in 2012-13—more than enough to wipe out the expected deficit. And guess what? Even with that \$300 million extra, they are still going to run a deficit. This government just cranks up the spending to make sure that we stay in the red.

Katy Gallagher has since tried to claim that it was not, in fact, the GFC; it is other factors, such as the growth in the city. There are 40,000 more people, for example, she tells us. Quite true—around a 12 per cent increase in population. But that does not explain a doubling of the revenue.

What does explain it is a doubling in taxes, which is what has happened. It is undeniable: this government takes more money from more people, for more reasons than ever. More out of every pay packet, more out of every development, more out of every home purchase, more out of every business and more out of every family budget every year.

Given these record revenues, these rivers of gold, it is really quite reasonable to ask: what are we getting for the money? After 10 years, what have we got for all the extra taxes, all the closed schools, all the hikes in rates? For 10 years ACT Labor just have not built what they said they would build, not saved what they said they would save or managed what they said they would manage.

Take health as a starting point—the single biggest departmental expenditure in the entire budget. After 10 years is our health system getting better or worse? The answer

is quite clear. When ACT Labor came to power, we had average waiting times for elective surgery. Now we have the longest elective surgery waiting times in the country.

We have the lowest number of GPs per capita in the nation. We have some of the longest waiting times in our emergency departments and, with money being spent on artworks and the arboretum and wasted on cost blow-outs on project after project, Canberrans really are asking whether 10 years of ACT Labor have delivered better results.

In fact, when a father concerned at the extended wait his daughter had in emergency asked this very question at the budget breakfast yesterday, the Chief Minister said such questions were “tiresome” and “tawdry”. A breathtaking display of the disconnect between the plans of the government and the pain of the people.

In this budget, ACT Labor has also broken the promise of providing a secure adult mental health facility. Primary health and preventative health are the other big losers in the budget, with very little to address these growing areas of need, while funds allocated to this area in previous budgets have not been delivered.

Katy Gallagher has again failed to deliver health infrastructure on time, with \$63 million of planned health infrastructure being rolled over on the back of \$50 million last year and \$57 million the year before. Projects delayed include the Belconnen Community Health Centre, the adult mental health inpatient facility, the Women’s and Children’s Hospital, the Gungahlin Health Centre and the refurbishment of the Tuggeranong Health Centre. With cost blow-outs in projects such as the Women’s and Children’s Hospital, there is no doubt that any promise to deliver new hospital infrastructure on time and on budget needs to be looked at with extreme doubt.

In fact, what is considerably conspicuous by its absence is any allocation for the \$800 million required to address the Calvary crisis. With this gaping hole in the forward estimates, it really is quite hard to take the health budget seriously, except to say that after 10 years ACT Labor still are not getting it right.

It is by no means the only area where 10 years of Labor have failed to deliver. The prison is an ongoing debacle. Additional funding of \$5.1 million is being allocated to address some of the issues raised in the reports and scoping funding has been provided to build additional jail accommodation because the jail is already near capacity only two years after it opened. This is despite the minister’s assurances that the jail had capacity for more than 25 years. \$1.4 million is needed for security after just two years—a pretty basic service in a jail, one would think.

After the government’s failure to provide a gym, an outer perimeter fence and a reduction in scope of 74 beds in the prison project, this budget now cuts the prison chapel that had been promised. It seems like your human rights do not extend to the right to worship.

Although there are no new government initiatives for police in the budget, the budget does contain funding for the rollout of the Canberra Liberals’ random roadside drug

testing legislation, an important piece of legislation ably championed by Jeremy Hanson. It is a piece of legislation which the Chief Minister now laughs about, having done his level best to stop it ever being implemented.

In education, we are pleased that the proposed cuts to services for children with a disability have been redressed, but we do remember the pain of the estimates period last year and even further the actions of my colleague Steve Doszpot just to get some of these issues on the agenda.

For all the hype and bluster of a Barr media release, the truth is that, according to the last My School data, a large percentage of ACT high schools scored below average when compared with schools across the nation with similar socioeconomic backgrounds. Andrew Barr has admitted that government schools under his watch are “coasting”. Ninety per cent of our schools scored below average in numeracy, with only three of 34 ACT schools scoring above average in years 7 and 9.

From the motion yesterday, Mr Speaker, and last year, you know full well our support for the non-government school sector, in addition to the government school sector. And despite Mr Barr’s purported support, it was interesting to note that the sector did not receive a word in the budget speech on Tuesday, despite over 40 per cent of all ACT school children attending a non-government school. Today, Moira Najdecki, Director of Catholic Education, said:

The ACT Government’s education motto ‘Everyone matters’ appears to apply only to students in public schools if the Education Budget announced yesterday is any indicator.

Daryl Smeaton, Chair of the ACT Catholic Education Commission, said:

It is extremely disappointing that those students attending non-government schools have been ignored in yesterday’s ACT Budget. It is clear that the Minister for Education is not interested in the educational outcomes of close to half the school age population within his portfolio responsibilities.

These are concerns that we share.

When it comes to business support, it is not possible to say what has happened to overall funding for business and industry development programs because of the changes in the administrative arrangements. Certainly there has been no attempt by the ACT Labor government to reduce the impost arising from the many inefficient taxes which are charged on transactions and doing business in the territory.

However, we do seem to be moving from “nuisance” regulations to “nanny” regulations. From deciding what sort of chairs a business can have, to what posters they can put up, what you can do, when you can do it, how you can do it—we really are the most over-regulated jurisdiction in the country, and I wonder what sort of city we are creating with this sort of approach.

The Canberra Liberals welcome the bringing together of tourism and major events programs into a single entity, as this re-establishes the approach which the former

Liberal government put in place more than 10 years ago—and which was abolished by the ACT Labor government. If the government listened to the other initiatives championed by Mr Smyth, our tourism industry may be in far healthier shape.

In ACTION, there is a listed loss in revenue of \$4.381 million due to failing ticketing equipment. Once again, Canberrans are paying for Labor incompetence.

In our streets, the government has resurfaced 25 per cent less municipal roads than promised, and we have all seen the weeds choking our median strips and parks turning into jungles. Our recycling targets are going backwards. Waste to landfill has increased from 0.59 to 0.67 tonnes per capita.

We are falling behind in targets for housing: collection of rental arrears of \$500 or more or four weeks or more fell short, from 90 per cent to 85 per cent.

Even after years of lobbying by the community legal services sector, and their existing in grossly unsuitable premises, there is still nothing in the budget for a community legal services hub.

The security upgrade at Bimberi Youth Justice Centre is as overdue as it is concerning, given the amount of agitating that the Canberra Liberals have had to do to get this issue taken seriously. Apparently, putting your fingers in your ears and going “la,la,la” was not considered helpful. However, despite Joy Burch’s reported disgraceful dismissal of this issue, we still hold grave, serious concerns about the management and safety of this facility.

Mr Speaker, there are other elements of this budget that we welcome. We support funding for disability services, but truly hope we do not have to go through the same trials and tribulations we went through to get this government to deliver on their promises, the way we did with kinship carers, for example.

Action is finally being taken to plan for the appropriate location of Emergency Services stations across the ACT. Again, it has been a long fight for us to get there. The ACT Ambulance Service will benefit from an additional \$20 million over four years to employ 30 more ambulance officers, and the ACT Fire Brigade will receive \$1 million to conduct two recruiting rounds during 2011-12.

Restoration of sportsgrounds at Isabella Plains and Charnwood is welcomed as an important part of the social and family fabric. We also welcome the Canberra Stadium upgrade and improvements to the Fairbairn Park motorsports facility.

However, for all these items, the aspect of this budget that deserves, indeed demands, more scrutiny, is the impact of 10 years of ACT Labor government on the cost of living for Canberra families. Last year in my budget reply I called on the government to include a cost of living analysis in the ACT budget. This government refused. Frankly, I am not surprised. Cost of living is becoming more and more of a concern for more and more families. And there is no doubt, after hearing from their latest focus groups, ACT Labor will now try to pay lip-service to this issue as well.

We knew this government would not do an analysis of cost of living, so we did. Mr Speaker, I release today the study paper *ACT Labor vs the family budget—the rise in cost of living under the ACT Labor government*. I seek leave to table the paper.

Leave granted.

MR SESELJA: I table the following paper:

ACT Labor vs the family budget—The rise in cost of living under the ACT Labor Government, dated May 2011, prepared by Mr Seselja.

Here we see the true story of this budget, and 10 years of ACT Labor, as it affects the family budget. This is the true legacy of Labor in government, the true legacy of 10 years of ACT Labor. Mr Speaker, I place this on the record because that is what we are concerned with—the fight between the government grabbing family money and families deciding for themselves. We are doing this because there is a genuine and growing sense in our city that even middle income families with two incomes worry that they cannot pay their mortgages or go out to dinner or take the kids for a holiday, where young people are beginning to think they may not be able to afford rent and they will never be able to afford to buy, where parents watch their personal aspirations for their children's schooling fade away because they simply cannot afford choices, where retirees, who have worked all their lives and who believed they would be comfortable, are now feeling that their life's savings are not stretching far enough to last them. There are more and more people who cannot understand why their pay cheques can no longer pay the bills like they used to anymore.

Mr Speaker, the reason this is happening, both directly and indirectly, is there is another person asking for his bills to be paid from the weekly pay packet—Jon Stanhope. Our cost of living study looks at the real costs facing real families. Some of these are directly set by the government and others and highly influenced by government settings. All of them are going through the roof. First there are rates, directly set by the government. They have increased massively in all suburbs over the last 10 years, in many by over 100 per cent.

Let us have a look at some of them. In Banks people are paying 152 per cent more; in Chisholm, 130 per cent more; in Isabella Plains, 116 per cent more; in Ngunnawal, 108 per cent more; in Amaroo, 95 per cent more; in Spence, 148 per cent more; in Dunlop, 137 per cent more; in Evatt, 136 per cent more; in Holt, 138 per cent more; in Mawson, 109 per cent more; and Holder, 98 per cent more. Do any of these people feel they are getting that many extra services after 10 years? Tuggeranong as an area had a 5.5 per cent average increase just in the last 12 months.

Then there is stamp duty, another area set directly by this government. The stamp duty paid to the ACT on a house of \$550,000 is \$23,375. The average stamp duty paid, with all the "affordability measures" that this government has, is still \$22,685. That is the biggest cash grab on a home purchase by any government anywhere in the country. There are rents, which have grown by 68 per cent since ACT Labor took power, and now are the second highest in the country.

ACT residents now pay 200 per cent more for water than when Labor came to office. April saw the announcement of another 15 per cent increase in the cost of water. Water prices are not directly set by the government, but, when water is supplied by a government monopoly, the two shareholders of the company are the Chief Minister and the Treasurer and we see the biggest budget blow-out in territory history on the Cotter Dam, you have to wonder whether they deserve to keep their jobs. The government certainly cannot shirk responsibility for these massive rises in water prices.

Electricity prices have increased by 75 per cent. By the ACT energy minister's own admission, electricity costs will rise by another \$225 per year for every ACT household just as a direct result of the feed-in tariff introduced by ACT Labor and supported by the ACT Greens. This is over and above all of the other increases which will be faced by electricity consumers, not the least of which will be the coming of the carbon tax and the 40 per cent target.

For these reasons, schemes such as the feed-in tariff have quickly been discontinued or downsized in other jurisdictions. Just today Greg Combet canned the commonwealth solar subsidy because the scheme "contributed to higher electricity prices". It is amazing that even the struggling federal Labor government have realised some policy settings are adding too much to the cost of living and are prepared to respond—it seems not this one. They keep spending and we keep paying.

Parking fees have increased in Civic by 57 per cent and could be as much as \$5,460 a year for a family. Families in the ACT with young children face the highest childcare costs in the country, and with some of the longest waiting lists. Yet for all that, the acid test for cost of living in the ACT is housing affordability. The Canberra Liberals believe in, and have always championed, the cause of those who strive to achieve home ownership. It was a major part of our policy platform of the 2008 election. At the time, we saw that the dream of owning a home was slipping through the fingers of many Canberra families. Now, sadly, we have been proven right.

According to a Bankwest report, of the ACT's 8,200 key workers, including teachers, nurses, police officers, fire and emergency services employees and ambulance officers, for this group, all housing markets in the ACT are considered unaffordable. However, Jon Stanhope has since been on record as saying:

I'm not just boosting myself here; we have done more in Canberra than any other city in Australia in relation to land release and housing affordability.

Let me read that again:

I'm not just boosting myself here; we—

Jon Stanhope—

have done more in Canberra than any other city in Australia in relation to land release and housing affordability.

You are right, Jon. You are not boosting yourself; you are kidding yourself. This is a government that has contributed more than any other government to making housing unaffordable for Canberra families. The government has major controls on housing affordability in this territory. Land release is your responsibility. Massive taxes and charges on land are set by your government. The planning system is your department. Stamp duty is your tax.

ACT Labor policies in the last 10 years have been the major driver in making housing unaffordable for young Canberra families. In all, that is a shameful record of increasing the cost of living and a disgraceful attitude to those suffering under those pressures. What is the ACT Labor's response? A thumping new tax. Last year I warned of the potential problems of this impending tax, the massive increase to the change of use charge.

As well as the stamp duty, the ACT Labor government will be imposing another tax, worth even more tens of thousands of dollars. In Braddon, in 2011-12, \$17½ thousand will be added to every unit to build more than five units, then \$24½ thousand, then \$31½ thousand, then \$42,000 and finally \$52½ thousand per unit in the last year. We heard from the Treasurer today, saying: "Is it going to push down existing land values? No, it is not going to push down existing land values. Is it going to push up rents and prices? No, it is not going to push up existing rents and prices." What is left? The Treasurer's position on a \$50,000 tax impost is now that it is going to be absorbed by developers; every cent of it will now be absorbed. If that is the case, you may as well double it or triple it. Apparently it does not matter how high your taxes are.

She read a letter from LJ Hooker and said, "This proves that the sky will not fall in next year; the sky will not fall in next year." The new position of the Treasurer is that this tax will not make the sky fall in yet. It will not make the sky fall in next year. It will fall in the year after or the year after that or the year after that. Mr Speaker, this is a ridiculous position—the idea that you can add \$52,000 in tax to a unit and it will have no difference to the price, it will have no difference to rent and it will not affect land values, apparently. This is the new economics as espoused by our Treasurer.

We can go through the list. I chose Braddon because it is an area where we would want to see redevelopment. But you can go through Turner, \$52½ thousand; Phillip, \$41,000; Kingston, \$52,000; Narrabundah, \$41,000; Ngunnawal, \$30,000; Deakin, \$52,000; Garran, \$41,000; and Curtin, \$41,000. Anyone who claims that you can put such high levels of tax onto properties and it will have no impact on the cost of living and will have no impact on rents is delusional. It fails the common-sense test. I say to the community: make that judgement for yourself. Do you think that putting a new \$50,000 tax on a unit will make a difference to the cost of buying a unit? Do you think that putting a \$50,000 tax on a unit will make a difference to renting a unit? Of course it will.

I note in the budget that the Treasurer has introduced an even greater remission rate than was first countenanced and it is now riddled with more exceptions and waivers than first contemplated. For a tax that purports to provide clarity and openness, it

certainly seems to bring complexity and closed-door decisions. Perhaps this is why the property industry are so concerned that they believe inner city property values may be hit by as much as \$100,000. But, of course, according to the Treasurer, it is okay; it is all going to be absorbed. I think it is clear that the real purpose of this tax is to raise more revenue—not, as we have already proven, because it is necessary or the community “demands” it, but because the ACT Labor government wants it.

I would now like to touch on some of the other achievements and alternatives we have pursued over the year. We anticipated issues in childcare by offering straightforward, cost-effective solutions to establish a free, centralised waiting list for ACT parents and called on the government to conduct an audit of childcare services to determine capacity gaps for services. To his credit, Mr Stanhope can still recognise a sensible cost-effective policy when he sees it. But Ms Burch saw this as nothing more than a thought bubble. No wonder she is consistently bested by her opposite number on this issue, Mrs Dunne.

We had pushed for more efficient payment practices by government agencies in their engagements with the business community. This was even more apparent last year when we received a rash of representations from local registered training organisations who complained of late payments from the government, some as late as six months. That is why I put forward “a promise to pay” policy from government to small business in last year’s budget reply.

We continue to push the benefits of the Infrastructure Canberra Bill for comprehensive reforms for infrastructure delivery. This has industry support and is now before the Assembly. Better infrastructure development means less wastage of taxpayers’ money, leading to a more productive economy for our children to inherit. Better planning and infrastructure means better land release and better infill. This will genuinely contribute to housing affordability.

We have also led the way on other planning changes, some of which have been picked up, at least in part. We listened to the Kambah community and successfully moved that a master plan be developed for the Kambah Village shopping precinct. We listened to the residents in Macarthur and successfully moved that the government take concrete action to address traffic noise on Isabella Drive. We called for and got the Weston Creek master plan, against some baffling opposition from ACT Labor. We kept pushing for the Gungahlin pool, and we will be keeping an eye on that. It would be amazing if we went to an election with a promise by ACT Labor to build a pool for the third term in a row and it still was not built.

We also stood up for Gungahlin residents in a raft of other ways, from roads and crossings to speaking up for the open spaces and playing fields that were promised but again not delivered. While we will be looking at the Gungahlin office move more closely in the months to come, it seems that the shopfront has been delayed again while we spend some money on a feasibility study, again, while Gungahlin residents and businesses are kept waiting—again.

Fighting for the right of Canberrans to better healthcare delivery, the Canberra Liberals prompted an Assembly inquiry into options for hospital expansion in the

ACT. There are other inquiries into the management of the health system that show systemic issues of significant concern. From the “10-year war” that has been raging in obstetrics to the denial and then discovery of bullying, it seems like they are just the tip of the iceberg.

Prompted by allegations of surgery waiting list manipulations, and many other issues of mismanagement ably brought to light by my colleague Jeremy Hanson, we successfully pushed for an Auditor-General audit of ACT Health’s management of surgery lists with tangible recommendations that the government could not help but accept. There were other fights we had to have. But we had them, and we won.

Firm in the belief that all students have the right to a quality education and choice, we fought for the school community’s rights in Minister Barr’s efficiency dividend cuts last year and forced the minister to backflip on cuts to support for visually and hearing impaired students. Only yesterday the Canberra Liberals were successful in a motion calling on the executive to commission an inquiry by the ICRC into the environmental, social and economic benefits and opportunities for secondary water uses in the territory.

These are some of the examples of the difference in approach between the ACT Labor government and a government I would lead. We understand why the government want us to release all our election policies early. That is where they get all their best material from. Smaller class sizes still must smart for Mr Barr, who we know is against them.

The most recent examples are in this budget that was presented on Tuesday. There is the money in support of basic TAMS services, due to the tireless work of my colleagues representing local communities here and in the community themselves—no better personified than through Alistair Coe. Literally years ago my colleagues and I called for restraint in those areas, which were obvious managerial targets—areas like advertising, travel and stationery budgets, which, I recall Mr Smyth discovering, included the departments using millions of sheets of paper a year.

The government have now discovered this. It is a mark of the character of the government that they looked first to slash support for kids with disabilities before they looked at cutting their business class travel or their multimillion dollar ad budgets. Time after time we see the front line and the families taking the hit for the fat cats and the bureaucrats.

It is small comfort when we look at what the government wants all this money for. The single biggest new spend in this budget, the thing that is more important than anything else we could do, is a thumping new office building for Jon Stanhope and Katy Gallagher. This is possibly the most arrogant statement of hubris this government has ever made—and it is not a government known for its modesty. By far the biggest item in this budget is a gigantic monument of an office block for Jon Stanhope and Katy Gallagher—the \$432 million dollar new government office. This is the edifice of ego, the monument of megalomania, the Palais de Stanhope.

At a time when many families are facing serious issues keeping their homes, Jon has decided he needs to move into a \$432 million new one. When office space lies empty

all around town, Jon decides to empty some more. There is no bigger or better symbol of being completely out of touch than the decision to spend \$430 million on this building at a time when the cost of living is biting more and more households. But if you think there may be better uses for the money, you are obviously a “redneck” or a “philistine”. It could have built real infrastructure we can all use. It could have delivered more services we all need. It could have been used to take some of the pressure of household budgets, but it is not.

This is a government that cannot point to anything it does very well. In every category we are amongst the worst, if not actually the worst, in the country—from building roads to running hospitals, from tax per capita to rates increases. From electricity, to water to rent to stamp duty, we pay more, wait longer and get less. Let me put this bluntly: in education, in hospitals, in community safety, in housing affordability, in cost of living, in infrastructure delivery, in local services and especially in health this government in many ways performs worse than the New South Wales government that just lost their election. Unfortunately, they are not the only examples of failure from this Chief Minister or this government. They are just the latest in a long list. The long list is what you might call ACT Labor’s 10-year hall of shame.

What has been inducted into this hall of shame? What projects or decisions are so stupid, have cost so much money and are so misguided that they really stand out over the last 10 years? The management of the GDE got to be on that list—one of the stars; not the road. Unlike the Greens, we think it should have been built, but it should have been built properly the first time and it should be up to speed right now. Under ACT Labor, it was first announced eight years ago at a cost of about \$50 million. It is still being built today and the price is around \$200 million and counting, and what we have is one of Canberra’s biggest car parks.

Another of the standouts is the prison—the famous human rights compliant, state-of-the-art prison. First it was 375 beds for \$110 million. Then it was 300 beds for \$130 million. Then there was the opening. “Which opening?” you say. Good question. Was it the one before the election, when the building was not finished, the security did not work and we had no prisoners? Or was it the one more than a year after the election when the building was not finished, the security did not work and prisoners could just walk out the door?

What else is in the top three? Oh yes, Mr Speaker—building 100-foot tall smoke stacks for a power station 600 yards from people’s backyards. What a good idea—what a pearler! There are others. What about the ESA headquarters? Originally budgeted for \$13 million, it blew out to \$76 million, and then it was built on a flood plain. So the very time we needed it, when the flood hit this year, the place got flooded and they had to rescue themselves.

In honour of Mr Corbell, I think the bus way deserves an honourable mention, but it only wasted two years and \$5 million for no return, so it seems like small feed. After all, look at the other blow-outs. The Canberra Hospital car park cost went from \$29 million to \$43 million, the Googong pipeline cost increased from \$96 million to \$156 million and the Cotter Dam enlargement cost increased from \$140 million to \$363 million. When it comes to wasting money, you have to look at the real pros—

Katy and Jon. They will show you how to take a few hundred million and make it disappear in a puff of anger and a bat of an eyelid.

Mr Speaker, it would be amusing if it wasn't Canberra families that are really paying for all of this. Our cost of living is under stress because their cost of governing is out of control. It is as simple as that. Canberra families are paying more because this government keeps spending more. It is as simple as that.

Next year there is an election in this territory and the people will have to ask themselves: are we better off or not? One look at the cost of living study we released today shows we are paying more, but are we getting more? One trip to Canberra Hospital, one drive down the half-finished GDE, one look at the state of our streets, and that answer becomes clear. It is clear, after 10 years of this government, that ACT Labor will never do things differently. Whether in majority or minority government, ACT Labor have now got to the place where they believe they were born to rule.

Mr Speaker, Canberrans are becoming aware of the fact that they are being short-changed. They are realising that this government has stopped focusing on the community and is obsessed with its own legacy. The fact that this budget contains the single biggest expenditure project in territory history and it is a new office for Jon Stanhope says it all. We would do things differently. Instead of grand designs and global solutions, we would focus on basic services, delivered better, at a lower cost. It sounds simple. But after 10 years the government has not delivered on any of it and it never will.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (3.08): This budget is in itself reasonably unremarkable, yet we are entering remarkable times. It is a budget that delivers more of the same when we are facing a very different future.

The next decade will bring a significant global transition. In spite of some having their heads in the sand on climate change, the threat is real. In spite of some having their heads in the sand on peak oil, Canberra will not be immune to the challenges it will impose.

Irrespective of ACT government policy the reality is that prices for basic services will continue to rise—not just electricity and water but also food, fuels and a range of other resources we depend upon. When facing such challenges change is inevitable and business as usual is simply not okay. In managing the needs of our community now we must also have close regard to the long-term consequences of our policies and be aware that there is an opportunity cost to everything we do.

Since last budget the ACT has legislated a 40 per cent emissions reduction target, an ambitious target that reflects the science on climate change. It is true that much of the government's response to this challenge will involve altering policy settings right across government and right across the territory. But this budget seems like a lost opportunity. While there have been some individual initiatives that are welcome, there is little in the budget to suggest any overarching strategic direction to address the task of delivering lasting prosperity in a carbon-constrained world.

We have the additional challenge of an ageing population and an impending health tsunami, and, for the first time in our history, life expectancy is predicted to decline. Add to this the continuing impacts of the credit-fuelled financial crisis and the inherent unsustainability of promoting consumption growth. We have never before had such a range of policy challenges to address in such a short period of time.

Optimistically, we are in perhaps the historically unique position of not only knowing what the problems are and understanding their consequences but also knowing many of the solutions. We need contemporary fiscal policy to address these challenges. We must not underestimate the power of our fiscal policy to affect positive change but equally to further entrench problems and prevent solutions. Failing to act now does not just delay things; it actively makes them worse. We cannot have changes overnight and no-one expects the problems to be solved in a single budget. But we need clear direction and for that to be progressed as quickly as possible.

This budget does, however, include some positive signs of change and a range of initiatives that will begin the task of addressing the challenges of the future. It also has a close eye on the needs of the community here today. The Greens acknowledge and appreciate the government's efforts in delivering on some very important initiatives. We are also very pleased that initiatives that the Greens put forward have been funded in this year's budget. Again the parliamentary agreement has delivered real outcomes for the people of Canberra. These are efficient and relatively inexpensive initiatives that will deliver tangible outcomes for the community both in the short and the longer term.

More public housing properties will receive much-needed energy efficiency upgrades. New services will be provided to people with mental illness. There will now be street-level recycling in Civic, new and improved cycling and walking paths, better bus services, particularly for people in west Belconnen, and more Canberra kids will now have access to swimming lessons. The Greens are pleased to have secured these outcomes for the community.

We continue to enjoy a relatively prosperous economy. The traditional measures put us as one of, if not the, leading Australian economy. There has been no double-dip recession and while the global economic outlook is still a little precarious with a range of short-term risks it appears unlikely there will be a major economic downturn. The most immediate risk for the ACT remains commonwealth government expenditure decisions. Certainly the signs from the federal government in the lead-up to next week's federal budget are ominous for the ACT. We recognise that we have a limited capacity to limit this risk in a short time frame. Nevertheless it is prudent to actively tackle the issue and to do our best to build sustainable economic activity outside of the commonwealth public service.

The most pressing issue when considering economic reform is of course jobs. To maintain the current low unemployment level we need to be aware of the global trend and every increasing demand for sustainable products and services. The Greens believe that creating opportunities for employment—that is, meaningful, fulfilling and sustainable employment—should be a priority of any government. We all know that a

job is more than an income and that jobs in sustainable industries are essential for the long-term resilience and prosperity of the ACT economy.

As jobs built around renewable energy and green industries are generally more labour intensive than those built around conventional technologies or fossil fuels it is surprising that the spectre of job losses still manages to prevent action on climate change. In the ACT we can create more jobs by doing the right thing by the environment and the community than by any other course of action. The risk is that if we fail to act quickly enough we will lose these opportunities to other jurisdictions.

The green economy is the answer. Whether or not you believe that decoupling emissions from economic activity is enough or that we need to fundamentally change the way we use resources, low emissions industries will be the future drivers of the economy and will be the only way of delivering lasting prosperity to Canberra.

Australia has the highest per capita emissions of CO₂ in the OECD. Our CO₂ intensity, emissions per unit of GDP, is three times that of most developed nations and double that of other rich nations such as Brazil. The global economy is moving, and domestic economies that do not internalise the cost of carbon will soon be subject to tariffs. No longer will it be possible to pretend that we do not need to urgently address the problem.

Recently the chief economist and head of economic policy for AGL wrote an article describing Australia's carbon-heavy economy as like a large superannuation fund that is heavily invested in a very small number of stocks that are now very exposed to significant risk. They concluded that the prudent thing for any fund manager to do is to gradually sell down their holdings in those shares and buy into decarbonised sectors and industries that will provide long-term sustainability.

This analogy could equally be applied to the ACT government because it is a trustee and manager of the community's investment in the ACT economy. Currently the investment is very dependent on fossil fuel use, and transport infrastructure remains dedicated to cars at the expense of public and other sustainable transport options. We need to shift the weighting of our collective portfolio if we are to reach our ambitious climate targets.

The green economy is alive and well and mainstream across the globe. We have to actively participate now before we are left behind. Global leaders from Barack Obama to Nicholas Sarkozy have acknowledged this reality. Every developed economy faces almost exactly the same challenges and many are already ahead of us. For example, in response to the global economic crisis South Korea spent about 80 per cent of their stimulus package on green, sustainable initiatives, the EU 57 per cent and China 38 per cent. Australia spent just nine per cent.

In the ACT we have to be clever enough to find ways to transition without depending on the commonwealth government or the broader Australian economic settings. We need to foster industries that can participate in the process of transitioning our economy without depending on excessive material consumption or environmental degradation. We need public policy and government spending that give people skills

they can use to deliver services and infrastructure that will provide a long-term benefit to the community.

We cannot wait to see what everyone else is doing or hedge our bets on the initiative of other jurisdictions. Rather we have to be prepared to listen to the evidence and respond accordingly, even if there is no-one to follow. Of course the evidence is now so compelling and so many other countries and jurisdictions have taken actions and adopted initiatives that there is always someone else to copy; we just have to look.

The chief economist of the International Energy Agency said last week that world oil supply peaked in 2006. I do hope the Canberra Liberals are suitably embarrassed at their ignorance on this issue. The demand for oil is continuing to grow and supply is falling. What is euphemistically referred to as oil crunch, the time when demand actually exceeds supply, is predicted to hit between 2012 and 2013. And that of course can mean only one thing. The IEA predict that the price of oil will rise 20 to 30 per cent in the next few years. Clearly, the faster we can reduce our reliance on oil the better off we will be.

Not only does renewable energy technology offer enormous benefits for our domestic use; the export market for these technologies is enormous. China, for example, will spend around \$350 billion to meet its renewable energy target for 2020 and already Australian companies are starting to take advantage of this. There is no reason why others within the ACT could not do the same, especially given our world-class education institutions. Why couldn't we be renowned as a world leader not only in research and development but also in the trade skills necessary to build and run the new technology? This will obviously involve an enormous amount of private participation and we should be mindful of the need for and potential of private sector involvement. The government should be encouraging and facilitating both private and institutional investors, including our own superannuation provision account, to assist in funding the transition.

One example of something the government could do is to issue energy efficiency bonds that could be repaid through the savings generated by making government properties more energy efficient. Additionally, funds raised could be used for other renewable energy initiatives and increased public transportation initiatives. National income is growing strongly and in the household sector there continues to be caution in spending and borrowing and a higher rate of saving out of current income. An investment fund that offers competitive very low risk returns I am sure would be an attractive and ethical investment option that capitalises on and encourages this trend. It would not cost the government anything and there is no doubt that it would be a very effective means of raising the necessary capital to fund these types of very necessary initiatives.

The community of course will be pleased that in this budget there are no new taxes or charges and that the only proposed increases are the standard indexed charges.

We need a tax system that is progressive, fair and stable. We should not be creating barriers to the efficient use of resources and we should be encouraging economic activity in ecologically sustainable initiatives. Government charges can also be an

important economic lever to create incentives and disincentives that will change behaviour. We need to be cognisant of this to get the full policy value out of not only our expenditure decisions but also our revenue decisions. We need a coordinated approach to industry incentives and taxation that fosters growth for local business in sustainable industries.

The Greens support the current ACT tax review and we look forward to considering the application of the Henry tax review recommendations to simplify the tax system and ensure that it delivers for the ACT. We should be looking towards a more stable taxation base that is less dependent on economic transactions and that fairly taxes production and business activity here in the ACT. Broad-based land taxes are almost universally recognised as more efficient than transaction taxes.

The change of use charge is the most controversial revenue issue in this year's budget. Land is a major community asset that we have and the community should get a fair return for the rights that the community grants to use that land. A change of use or lease variation charge is payable on a gain for property developers that does not come about through their enterprise or initiative and belongs to the community. Recognising the value of the right being assigned is the only honest approach. The fact that the community chooses to forgo some of that to facilitate development does not mean it is a bad tax. If anything, the opposite is true, and the fact that it gives the opportunity to manage how our city develops is something that we should take advantage of.

It will of course come down to how much and of course those who will be liable to pay will be arguing for less. We have an obligation to act in the community's collective interest and it must be said that the proposed phase-in appears reasonable and is a significant concession compared to the timetable proposed in the independent reports. The Assembly will be debating the detail of the scheme in the next sitting so I think it is sufficient at this stage to say that a balance can be found to ensure that we have a responsive scheme which also provides sufficient certainty for developers.

On the deficit, this year sees the last of the commonwealth stimulus measures, and it seems likely that commonwealth expenditure in the ACT will decline in real terms this financial year. The plan for the recovery of the budget appears reasonable. That said, it is important we create fiscal space so that we are able to respond to future challenges.

Just briefly on the stated fiscal strategy, we of course agree with the listed aims, and these are certainly sound principles used by most governments. However, the Greens' view is that we need to be moving beyond these relatively simplistic aims to give our fiscal strategy a more integrated outcomes focus with meaningful indicators linked to tangible gains in our prosperity.

Again we have a significant increase in capital expenditure, and there are certainly a number of good capital initiatives, like the ICT upgrade. The Greens are, however, concerned that there remains little evidence about the long-term usefulness of some of the infrastructure spend or little recognition of the significant opportunity cost it comes at.

The most significant capital spend that will require much more consideration is the government office building. It is a significant undertaking, and a range of issues were, of course, identified by the Auditor-General and the public accounts committee. The office block project involves the balance between the efficient and sustainable use of existing building resources and the advantages of a new purpose-built building. It is large expenditure that has obvious opportunity costs, and we should carefully consider the full implications before we embark on such a significant infrastructure project.

Also, in relation to government accommodation, the Greens support the move to Gungahlin. This is something that should have happened some time ago, and we definitely support increased employment opportunities being provided for Gungahlin.

It is essential that we conduct a proper triple bottom line analysis for our infrastructure spending—in fact, for all government programmes—as well as having meaningful strategic indicators and objective measures against which to measure success or otherwise. Many of the current indicators could best be described as limited and certainly often fail to provide a meaningful means of evaluating performance and outcomes. I think the government has recognised that it does not do triple bottom line assessment as well as it could and it remains unclear exactly how they propose to address this. Whilst I am disappointed, the Greens appreciate that the government has recognised the current shortcomings and would very much like to work with the government on effectively implementing TBL analysis and evaluation across all government outputs.

Equally, we have a large number of government plans and strategies now where it is not evident how they interact with government decision making and budget allocations. As we raised yesterday in the Assembly, the opposite is also true, as the government has not delivered a range of key macro plans that will be essential if we are to become a sustainable community.

The budget funds a number of new transport items, many of them good initiatives. Collectively, they demonstrate that the government is taking some, albeit limited, steps in the right direction. Perhaps the most positive transport initiative is the extension of the Blue Rapid line from Belconnen to Kippax. This is an excellent outcome, and it is something that the Greens had specifically proposed. The expansion of the frequent, rapid public transport spine is one of the key steps to improving public transport in our city. These are the type of services that really facilitate that modal shift. The same kinds of services also need to be provided to southern Tuggeranong, and we were disappointed to see that that particular route and service was not funded. We will continue to argue for this service.

We are also very pleased with some of the isolated infrastructure funding for public transport priorities, such as new bus transit lanes. The funding for bus stops on Adelaide Avenue is a particularly interesting move. It demonstrates a progressive shift in the government's thinking toward more transit-oriented development and development of transport corridors.

The standout transport item is the \$144 million the government has committed to the new Majura freeway. The reality is that building new freeways has never solved travel

or congestion problems. Rather, what they tend to do is to bring more cars to the road, limit the opportunities for building a sustainable transport network and entrench vulnerabilities to threats like climate change and peak oil. The Greens believe Canberra can be much smarter than this. We can find the real solutions to our transport issues with investments in sustainable transport, and a quality system of public transport is the only long-term transport solution.

It would be a great shame if the new Majura freeway came at the expense of light rail. The complete cost of a Gungahlin to Civic light rail line has been estimated at around \$200 million dollars. The investments that could be made with \$144 million in other infrastructure, such as bus priority lanes, and faster and more frequent public transport are also enormous. As the Treasurer said in her speech, fast and reliable public transport is the foundation of a well-functioning city.

We are pleased that \$8 million has been put aside for both building quality regulation and building energy efficiency regulation. Clearly there is a need to ensure that our buildings will be safe and useable for decades into the future. Improving the regulation of building energy efficiency is also vital, and the Greens have been pushing for better auditing of energy efficiency ratings for many years now.

Residents need to be sure that they can trust energy efficiency ratings so they know they are getting what they paid for. People are keen to save energy, but they need a system that they can rely on to measure building efficiency. The Greens welcome the funds being put towards master planning for group centres, transport corridors and rural villages. The Greens called for more dedicated funds for ACTPLA to undertake more master planning in their budget bids this year, so we are very pleased that they are being funded to the tune of \$4.2 million over four years.

The Greens are keen to shift our strategic planning and development focus to transit-oriented development. Developing plans with extensive community consultation for these areas is a key step in this process. The budget delivers some key items for more sustainable development, including \$1.5 million for a feasibility study on infill development opportunities, \$4.2 million for master planning for group centres and rural villages as well as transport corridors, and significant funding for transit ways.

This is a sign that the government is starting to move towards a better understanding generally of how infill development should revolve around transport corridors and a shift in the way we build new areas. We are pleased to see that the street tree renewal and maintenance program has been refunded, thus implementing the Commissioner for Sustainability and the Environment's recommendations in her tree report.

We are also very pleased that \$8.4 million will be directed to the problem of stockpiled building waste at the West Belconnen Resource Management Centre. However, we are disappointed to see that no funding has been set aside for any form of solution on reducing our organic waste going to landfill. Meanwhile, we will be spending \$2.75 million on investigating further landfills rather than focusing on how to reduce our need for new ones. It is particularly disappointing that we are actually anticipating a decline in recycling rates this year.

The improvements to walking and cycling in and around Civic is a quiet achiever for sustainability in the ACT budget. A number of measures that we called for have been funded, including \$1.5 million for walking and cycling infrastructure, \$400,000 for path lighting improvements over four years and funds for public transport infrastructure to encourage walking, cycling and bus use.

I turn to the subject of cost of living. The Greens are pleased that the government has adopted some of our initiatives to address this issue for the poorest and most vulnerable in the community and the people for whom cost of living is a significant issue.

The focus on the impact of rising electricity prices on those in our community who are most vulnerable to price increases is particularly welcome. We put the issue of diminishing energy concessions on the agenda last year with a motion in the Assembly, and also included in the parliamentary agreement other items, such as the doubling of funding to improve energy efficiency in public housing. Both of those items have been comprehensively addressed in this year's budget—a doubling of funding for public housing energy improvements and an additional \$12 million towards the energy concession rebate to help offset rising utility prices.

In addition, the government have demonstrated with this budget that they are tackling energy efficiency problems in a hands-on way with those who most need the assistance through the \$4.4 million program for low income families. This is where government assistance will have the most impact where it is most needed. We welcome the \$9.5 million in capital funds to expand public housing. This is, of course, the most efficient way government can deliver affordable housing to the least well off in the community. The injection is just a one off, and we need to see action like this in every budget in order to maintain our public housing stock as population grows.

There is some funding for homelessness which will be delivered immediately for rough sleepers, and that is very pleasing. We are very supportive of the common ground project as well as the expansion of housing at the Narrabundah long-stay caravan park, as people on low incomes in Canberra desperately need more affordable housing options.

On housing affordability more generally, the Greens remain concerned at the gap between public and community housing. For those who just miss out on public housing, 75 per cent of market rent charged by community housing is still often very, very difficult for people to be able to afford. The government has allocated \$1.4 million to progressing the affordable housing plan, and we hope that will result in a comprehensive evidence-based plan that delivers affordable housing to those who need it.

Last October the government said it was conducting a review of its affordable housing action plan, and seven months on we still have not seen this. Hopefully the review is comprehensive and we will see a plan that addresses the ongoing affordability issues associated with housing, such as running costs as well as the purchase and rent price. We acknowledge the government is attempting to deliver affordable houses within its

land release program. These are, of course, laudable goals, but, as I said, there remain significant challenges that have yet to be overcome.

Just on land release, the budget proposes to release 18,500 dwelling sites over the forward estimates. Whilst we recognise the need to address the housing shortage, continual greenfield development is inherently unsustainable, and alternative solutions do need to be found. We are a long way from the goal of 50 per cent greenfield and 50 per cent brownfield development, and the overall costs for the community will, of course, be higher the more the city spreads out.

Once again, we have seen a significant increase in the health budget. The community expects, and we support, the provision of the best possible health facilities. However, we are particularly disappointed that there has been little attention on preventative health. I do not think the minister even mentioned it in her speech. The acknowledgement of the importance of this issue appears not to have been translated into action. Governments can no longer continue to operate under a health model that only responds to sickness. Something like half of the presentations to hospitals are because of diseases and illnesses caused by preventable lifestyle factors.

On mental health, the Greens are very pleased with the increase in funding. It is something we have advocated very strongly for and is an area of particular need within our health system. Unfortunately, I have to reiterate some of the concerns I have about broader health funding in that the new mental health funding remains very much focused on acute services without matching early intervention services to keep people healthy and participating in the community.

Of the around \$5 million in new funds to be spent each year in coming years, only \$500,000 of that is on the community sector, which we know plays a vital role in keeping people out of acute services in the first place. Similarly, new spending for child protection services focuses on children and young people who are predominantly in crisis. The balance is again out on prevention versus early intervention. We are of course pleased that more is being spent on this issue, and the need to invest in the health and wellbeing of our children and young people cannot be overstated.

The ACT Greens are concerned that there was no evidence of forward planning in relation to the imminent decision for Fair Work Australia on wages claims made on behalf of the community sector workforce, although I acknowledge that yesterday at the community sector budget forum the Treasurer said she remains committed to funding these wage increases.

The pay gap between community sector workers and those doing equal or comparable work is irrefutable. With 85 per cent of the community sector workforce being women, this creates a significant gender pay gap that we have a responsibility to address. The community sector delivers vital services to the community in areas where the government, for a range of legitimate reasons, simply cannot. The ACT Greens will pursue this issue vigorously and remain committed to ensuring fair wages for community sector workers.

There is currently a shortage of childcare places, and the increase of up to 800 places is certainly welcome news. The Franklin early childhood school is particularly good news for local residents. The minister has hopes that this will improve childcare affordability, and the Greens certainly hope this is the case. However, there is little evidence at this stage to support the claim. The Greens understand there are a set of complex factors around the cost of childcare, many of which are out of the ACT government's control and part of national childcare funding policy.

The ACT is fortunate to have over 80 per cent community-based childcare centres. The Greens are well aware of the dedication of the staff that manage and operate these centres and of the high quality service that the vast majority provide. Assistance for the workforce to meet the national quality framework is also welcome news. The Greens hope these incentives will have a positive impact on recruitment and retention in the sector and enable a smooth transition for the new quality standards beginning in 2014.

Disability education is a priority for the Greens in this Assembly, and we welcome the funding announcement for disability education, after-school care, vacation care and school leaver support packages. Enhanced programs and services across disability education will deliver better outcomes for students and their families.

One area that I have pushed, and am sure will provide great outcomes, is the use of therapy assistants in schools. I am glad to finally see this as a funded pilot project. I am also very pleased to see the innovative program, noteworthy, of the Canberra Symphony Orchestra receive funding. I have attended a noteworthy concert and witnessed the delight of the children as they experienced the orchestra. It is fantastic that the initiative of the CSO for four specialist concerts for disabled students can now continue.

The Greens support well-resourced public education, including appropriately remunerated teachers. The Greens agree that we need to better recognise the teaching profession and provide a more contemporary wage structure to retain and recruit quality teachers in our public system. The Greens support a system that is based on merit and accomplishment rather than crude outcomes via national testing.

International evidence does not demonstrate that remuneration based on universal test outcomes enhances quality education. Rather it increases rote learning and discourages underperformers. The Greens do not support a competition approach to education.

On women, we welcome that the ACT has signed on to the national plan to reduce violence against women. Seamless support is essential for victims of domestic violence. It is particularly welcome to see a program that targets recidivism and behavioural and cultural change amongst perpetrators. This represents a holistic approach, and I look forward to hearing about ongoing positive outcomes.

The Greens also welcome funding to Indigenous restorative justice. The outcomes of this approach are well known and have the ability to make lasting positive impacts.

We note that the injection of \$1.9 million is a significant amount for the Office of Multicultural Affairs and the Office of Aboriginal and Torres Strait Islander Affairs. It is also positive to see a targeted employment strategy for both Indigenous people and people with a disability. I am also pleased that camps will be funded and will continue for members of the United Ngunnawal Elders Council.

In conclusion, the Greens are pleased that so many of our initiatives have been progressed in the budget. We are, however, concerned that there does not appear to be a concerted and integrated effort right across government to address the most pressing challenges facing our community—in particular, climate change, peak oil and health care. In addressing many of the issues of today, this budget does the job, and in many places, it does it well. In planning for the future, there is a shift in thinking that still needs to happen here in the territory.

MR ASSISTANT SPEAKER (Mr Hargreaves): I congratulate the chamber on hearing both non-government leaders without interjection.

MR SMYTH (Brindabella) (3.45): I welcome this opportunity to speak on the 2011 budget as delivered on Tuesday by the Treasurer. I have spoken in previous budget replies about the lack of plans from this government for the future of the ACT economy. Again, I repeat this sentiment this year. If you were looking for a plan for the future of the ACT economy in this budget you would not find it—

Mr Barr interjecting—

MR SMYTH: and yet, just again—

Mr Stanhope interjecting—

MR ASSISTANT SPEAKER: Excuse me, Mr Smyth.

MR SMYTH: yesterday, our Treasurer—

Mr Barr interjecting—

MR ASSISTANT SPEAKER: Mr Smyth, would you please—

MR SMYTH: is quoted in the *Canberra Times* as saying—

MR ASSISTANT SPEAKER: Resume your seat, Mr Smyth. Stop the clock, please. Members of the government will come to order. That was not the starting gun. Thank you, very much. Let us continue the courtesy. This is a budget debate. Mr Smyth has the floor.

MR SMYTH: They just cannot help themselves, Mr Assistant Speaker.

MR ASSISTANT SPEAKER: No, Mr Smyth. Mr Smyth, going fishing does not work either.

MR SMYTH: Yet, just yesterday our Treasurer was quoted in the *Canberra Times* as saying, “The ACT is being asked to stand on its own two feet and we are having to do just that.” Well, surprise, surprise! “The ACT is being asked to stand on its own two feet and we are having to do just that.”

Indeed, there is nothing in this budget about standing on one’s own two feet. There is nothing in this budget about the fundamental reform which will be necessary to achieve that outcome. And there is nothing about the priorities of this government in working towards that outcome.

What is there in this budget? As my leader, Zed Seselja, just outlined, there is a major hit on the cost of living pressures being faced by Canberra families. Water, electricity, rates, rents, government taxes are all going up. It is all coming out of the pockets of families, all affecting their cost of living.

Canberra families are already struggling with higher prices for their weekly goods, extremely high rents, higher costs for services, such as childcare, water and electricity, and interest rates feeding through into mortgage repayments. Yet Canberra families are also paying the highest taxation per capita in Australia. Indeed, we are equal with the people of Western Australia and, of course, they have enormous resource riches which we do not.

Now our families are faced with even higher taxes and higher costs for services such as water and electricity. If that is not enough, the ACT Labor government is now proposing to take on another \$600 million of debt. This, of course, will lead to even higher costs of living pressures as our community repays this debt through their tax revenue. I will go to more on that matter in a moment.

Mr Assistant Speaker, I now want to turn to the approach to fiscal policy which has been adopted by the Treasurer. Let me start by referring to comments which are attributed to the Treasurer in the *Canberra Times* of 2 May 2011, where she is quoted as saying that it is always difficult to deliver a deficit budget when the economy is performing so well. It actually must indeed be a difficult feat when the economy is performing so well to lead the people of the ACT in deficit.

The dilemma is obvious. While the ACT economy continues to perform so well it seems incongruous that the government continues to budget for deficits. The Canberra community could be forgiven for being confused about this approach to fiscal policy.

Of course, the answer to this dilemma is that the ACT Labor government has a history of budgeting for deficits at times when the local economy is booming. Indeed, this government has budgeted for deficits in eight out of 10 years—eight budget deficits out of 10 budgets that have been delivered. Yes, that is correct. Eight deficits out of 10 budgets. What is more, this government continues to budget for deficits in the three outyears—a total deficit of \$249 million over the next three years.

If members want the detail of that, they simply have to go to budget table 2.1.1 for the net operating balance in the outyears. In 2012-13 it is \$112 million; in 2013-14, \$92 million; and in 2014-15, \$43 million—a total deficit of \$249 million over the next

three years. As if that is not enough, the history of this government in terms of actual outcomes of budgets puts a lie to many of these deficits.

Indeed, in 2010-11, the ACT received \$481 million more in revenue than they had initially estimated. Let me say that again. In 2010-11, the ACT received \$481 million more in revenue than was initially estimated. In 2009-10, the ACT received \$582 million more than was initially estimated. That is an amazing achievement and we are still in deficit at the end of that.

Over the past four years they have received \$2.1 billion in additional revenue over and above initial estimates and we are still in debt. We have a Treasurer in denial, blaming the global financial crisis for her woes, despite the river of gold that has flowed in. Over the past two years—that is, during the period of the full impact of the global economic and financial crisis—this government received \$1 billion more than had been estimated. Yet the Treasurer cries poor.

This is a staggering outcome and raises the very serious question as to why this government continues to budget for deficits when, as economic commentator CommSec has reported, the ACT economy is the best performing economy in Australia, despite the ACT Labor government. Moreover, members need to remember that if you accept that judgement from CommSec that we have the best economy in the country, you have to accept their reasoning as to why. What did CommSec say? CommSec said of the ACT economy that “the ACT has been insulated from the US financial crisis”. CommSec, whom they quote to say we are the best, said the reason for that was that we were insulated from the GFC.

So despite what the Treasure says, we have a major conundrum. The Treasurer says our problems are because of the global financial crisis. CommSec says that they are not the result of the global financial crisis. All the while, the ACT government is estimating a river of gold in revenue.

Let us look at the outcome for the 2010-11 budget. When the Treasurer released the updated budget outcome in February this year, she spoke glowingly of the fact that the budget deficit had reduced from \$84 million to just \$6 million. Some of us will recall that the single reason for this reduction had absolutely nothing to do with any actions on behalf of this Treasurer. It was the result of the settlement of a tax dispute with News Ltd, which resulted in the territory receiving \$77 million. It was not financial management. It was not the proposed cuts. It was not anything this government had done. It was simply that they got a tax settlement.

Despite the spin, the overwhelming reason for the surplus outcome in 2010-11 was because of exogenous factors and this is far removed from anything this Treasurer did. It certainly had nothing to do with this Treasurer’s proposed savings because if members go to table 1.5.1 on page 26 of budget paper 3, they will find that the Treasurer fell at the first hurdle. Indeed, the minister that assisted that fall is sitting beside her. The outcome of efficiencies in 2011-12 was a meagre \$12 million—\$12 million in an almost \$4 billion budget. They could not find all of them.

Indeed, education and community services had their efficiency dividend reinstated. The actual savings in 2011-12 was a meagre \$7 million. So we are yet to know where

other savings will come from, but already we are reinstating because departments and ministers cannot control their spending and this Treasurer cannot deliver what she promises.

Mr Assistant Speaker, in 2009-10 Labor's actual spend of \$3.7 billion was 14 per cent above the initial estimate of \$3.2 billion. You only have to look at the additional spending between 2007-08 and 2010-11 above initial estimates and you will see that it is \$1.6 billion. That is the root of our problem. This is a Treasurer who cannot control spending and this is a Treasurer who cannot control the ministers. At the same time, she will seek to blame others and she invents a billion dollar figure. She said we lost \$1 billion of revenue, but she cannot point to it, cannot detail it.

It is not true and it is not consistent with the facts presented in her own budget papers. Indeed, the Treasurer said yesterday in question time:

Our recovery has occurred faster than we had thought, which is why we are returning to surplus two years ahead of time. Our own performance and additional revenue are assisting us to improve our bottom lines, as are the savings that we have outlined in the budget. All of those together give us a good way through and a return to surplus in 2013-14. But I will not accept those views that have been put opposite that the global financial crisis never happened, that we never saw the impact on our bottom line. We still are not getting the levels of GST ... that we forecast in 2008-09 for this year; they will now be delivered in 2014-15.

And here is the final summary, Mr Assistant Speaker:

So, yes, our own-source revenue has assisted in our recovery. That is why we are returning to surplus faster. That is why our bottom line looks healthier. That is why we are able to do targeted new spending in this budget.

The money kept rolling in: \$2 billion of additional revenue over initial estimates over four years is a river of gold in anybody's language, particularly over a \$4 billion budget. It is almost beyond comprehension to see how, when making savings was the order of the day, this government actually could increase spending by 13 and 14 per cent over the initial estimates. Turning to the three outyears, as I have said they are now estimated to have an aggregate deficit in the three outyears of \$249 million.

Of course, the government continues to engage in fiscal juggling by including the gains on superannuation assets, either to reduce estimated deficits or to increase surpluses. But if you look at the underlying deficits, they continue into the outyears. I would now like to make some comment on the debt policy of this government. In general terms, taking on debt is not a bad policy, provided the funds are used to develop assets that enhance the community's welfare or provide a sound return to the borrower.

Some members will even recall that a former Labor Treasurer, Ted Quinlan, espoused the merits of taking on debt where a sound case had been made for the loans to be taken out. But what has happened in this year's ACT budget? The Treasurer has told us that an additional \$650 million will be borrowed over the next two years. These

funds will be used in part for health assets and for the proposed Majura Parkway. My concern, however, at this time is the proposal from the government to build a new office block for public servants—the palais de Stanhope.

Mr Seselja and others have called into question the merits of continuing with this building project. I think the laughter at yesterday's breakfast further highlights the concerns with this building. I have not seen any evidence that this building will provide a net benefit to the territory. What we heard yesterday was that the Chief Minister will not release the full business case. He has asked for an edited version to be put together to prove his thinking.

The public accounts committee recently made a recommendation about this proposed building in its interim report on the review of the Auditor-General's report No 6 on government office accommodation. PAC said this in recommendation 2:

The Committee recommends that the ACT Government provide the Standing Committee on Public Accounts with an assessment of the opportunity cost of a whole-of-government office building project against other significant infrastructure projects, such as the Majura Parkway, a light rail network, a new convention centre, or a third major hospital.

What about just returning some of that money to the public? What about taking the burden of taxation off ordinary taxpayers and what about reducing the cost of living instead of adding to their burden? As a member of PAC, I certainly have not seen any analysis of the opportunity cost of investing in this proposed building as against other prospective investment proposals. Indeed, as PAC requested in one of its other recommendations, we have not seen any of the analysis at all, as well you know, Mr Assistant Speaker. The real worry is that we will get now an edited version.

It is quite amazing. The Chief Minister stands up here and says that the case for this is outstanding or that the case for this is clear. Well, give us that case. Don't give us your edited version. The real worry is that, as with all Labor governments, the legacy of this government will be a mountain of debt akin to Labor's debt of \$344 million in 1995, and it will be up to the Canberra Liberals to sort the mess out yet again.

As I said at the outset, the real lack in this budget, as with all other budgets from this Labor government, is the absence of a strategy for the future of the ACT's economy. There is no indication of any attempt to diversify the economic base of the ACT or reduce reliance on the public sector activity. And we are exposed when 46 per cent of gross state product comes from government spending. The majority of that comes from the federal government. We know what the federal government is considering for next week.

MRS DUNNE (Ginninderra) (4.01): The legacy of this ACT Labor government will be one of record revenues, record taxes, record spending, record borrowing, with nothing saved for a rainy day, wrong priorities, poorly managed infrastructure, budget blow-outs and Canberra families feeling the pinch with a cost of living that is forever getting out of their reach. Canberra families are struggling today because of the Stanhope Labor government and their 10 years of grasping with their hands in our pockets.

They are struggling with the highest cost of childcare in the country—\$60 a week more than the national average. And we have seen the increase in childcare of around twice CPI over the last two years, the last two years when childcare has been overseen in this place by Minister Burch.

Canberra families are struggling with the highest water charges in the country, having increased by over 200 per cent in the past 10 years of the Labor government. Canberra families are struggling with the cost of electricity. It has increased by 75 per cent in the last 10 years of the Stanhope Labor government. They are struggling with property rates and charges. They have risen by 82 per cent in the last 10 years of the Stanhope Labor government.

We have heard the government talk about no new taxes and existing tax increases only being by the wage price index. But what we have seen from the examples I have outlined is a really different story to the rhetoric put forward by Minister Gallagher this week. Canberra families are not only struggling because of the pressure on their budgets brought about by the cost of living, Canberra families are also struggling because of this government's record of sitting on its hands, removing them only to wring them and shake them, and take action only when the pins and needles get too much.

Much of this has come about because of the Canberra Liberals agitating, hammering the table and speaking up for Canberra families. It is the Canberra Liberals who have been listening to the community and doing that agitating, hammering and speaking up on their behalf. So finally we are seeing some budget initiatives that should have been brought forward years ago.

We can start with the pretentious behaviour of the Minister for Children and Young People, in full view, when she stood up in front of the community sector and announced that she was proud that she had secured \$60 million for childcare. You might say well done, minister, but in fact \$42 million of that came out of the education budget, and most of that is not money that will go to childcare.

Two-and-a-half years ago this government promised two new childcare centres in Canberra when they went to the last election. Only now has this minister switched on the light at the end of the tunnel. It is only after months, possibly years, of the Canberra Liberals' agitating, thumping and speaking up that Minister Burch has realised that the childcare sector needs the government's help as it faces the significant challenges of the national quality framework that her government has helped impose upon them.

What of grandparent and kinship care? What of the \$800,000 over four years that was promised in the 2008 election? It is only now, 2½ years later, after a lot of pain in the sector, that Minister Burch has been dragged into action, kicking and screaming. It was only after the Canberra Liberals agitated, thumped and spoke up.

Then there is the Bimberi Youth Justice Centre. For months the Canberra Liberals have been bringing the concerns of the community to the table. For months this

minister had her head in the sand, in a state of denial. When she finally attempted to do something, she did so because she said she had to cover her backside. One of the things that she did was to cover her ears and tell people who were employed at Bimberi that she did not want to hear their stories.

It was only after the Canberra Liberals' agitating, thumping and speaking up that she was forced to acknowledge that there were serious flaws in the security and the operation at Bimberi and they are now putting money towards fixing it. Like the AMC, Bimberi's pretended opening in September 2008 touted it as safe and secure. Like the AMC, Bimberi was not.

Minister Burch should not be proud of her record. She should be ashamed at her inaction. She should be ashamed that her action only came about because she could no longer take the Canberra Liberals' agitating, thumping and speaking up for the people most affected by her bad policy. She could no longer ignore the plight of the community. Then again, perhaps there is just the hint of an election in the air.

Let me turn to water. Yesterday the Assembly agreed to a motion put forward by the Canberra Liberals that called on the executive to commission an inquiry by the ICRC into the economic, environmental and social viability of secondary water use in the ACT. In that debate the minister made the extraordinary admission that he was building revenue-generating infrastructure in the urban waterways program before he had done any economic viability analysis.

Noting it is in the future tense, he stated, "It will be a requirement that the ICRC provide advice on the pricing of the water to be made available from these non-potable sources." It is quite clear from the minister's words yesterday that it would not be possible that a commercial organisation would dig a big hole in the ground before undertaking any economic viability analysis, including costings and pricing and the future cost of the commodity that would come out of that big hole.

But in truth, the urban waterways program is Simon Corbell's legacy program. He is willing to spend the money of struggling Canberra families on projects that by no means have been proven to be viable. I wonder how many other infrastructure projects this government has undertaken for which no economic viability analysis has been made. I wonder, for example, whether the viability ruler was ever run over Jon Stanhope's edifice of ego, the government office block that he has proposed in his budget. But then again I digress.

The tragedy of this approach is that there are unsuspecting people in our community who might be thinking that they will get access to this non-potable water for their ovals and playing fields. What they do not know is what they will be paying for it. It might work out that it is just as cheap to draw it from the potable water supply, especially if the government does as the minister has said it was going to do, and reviews the way the water prices are set.

Mr Corbell thinks it is a bit premature to have the ICRC do a viability analysis now. But it is clear that the Assembly did not think so. We in the Canberra Liberals believe that it is well overdue. Perhaps Mr Corbell does not want to know the viability truth about his pet project. Perhaps a memorial does not warrant such analysis.

While we are on the subject of Mr Corbell, I think we should look at his performance as an Attorney-General. I think in the game of scissor, paper, rock which passes for budget cabinet under ACT Labor, Mr Corbell was a big loser as an Attorney-General. There are almost no initiatives in relation to justice in this budget. It is not surprising, after the dismal failure of his initiatives last year, the virtual District Court fiasco, but it is interesting to note in passing that, after years of being led on by Minister Corbell, yet again this year the community legal centres and their modest request for improved and co-located premises have been cast aside by this government, a government that was prepared to spend \$438 million on its edifice of ego but was not prepared to spend less than \$10 million on community legal centres.

In the area of nature conservation, we have seen a little bit of money that I suspect is too little and too late. There is money for rabbit eradication and weed eradication. But during the years of neglect the Chief Minister said the weeds were a big problem and there was no magic wand for weeds. He has done nothing for years and years. And now the territory is inundated with Chilean needle grass, African lovegrass, St John's wort, Paterson's curse and is overrun with rabbits. I think that most of the money that will be in this budget will be too little too late.

Much has been said about public art and I would like to spend some time touching on the arts portfolio. The Chief Minister has said much about the value of public art. The Canberra Liberals have been accused of being anti public art, and members of the community generally have been described as philistines or rednecks. Let me put it on the record—and I have said it before—that the Canberra Liberals are not opposed to public art. I will repeat that: the Canberra Liberals are not opposed to public art. But we are opposed to the government's lack of strategic direction when it comes to public art.

This government's approach is one of public art for its own sake. Indeed, like Mr Corbell's urban waterways memorial, Mr Stanhope's public art strategy is one of his memorials, along with the arboretum and, of course, now his edifice of ego, the government office block.

The Canberra Liberals agree with the approach suggested by the Loxton review. The Loxton review recommended that there needed to be a clearer policy on selection and placement and that the scheme should extend beyond sculpture to incorporate other arts. Loxton also said that public art needed a clear policy framework to set direction and address concerns, including those relating to placement, consultation and the decision-making process. To that I would add: the extent to which local artists benefit from this scheme.

We agree with the kind of approach suggested by the Loxton review. It is a pity that Jon Stanhope's approach so far has been anything but that.

When we look at arts in the ACT, we see that the Chief Minister is really only interested in the visual arts and that almost everything else is a poor cousin. Take, for example, the on again, off again review of the Fitters Workshop. The Fitters Workshop, which was originally built simply as a metalwork facility, has been

described as the “Stradivarius of a space” for music performance. Year in and year out, through the Canberra International Music Festival, eminent people speak highly of the acoustics. Australia’s pre-eminent composer, Peter Sculthorpe, has described the Fitters Workshop as having the best acoustic quality for classical music in Australia. Yet this government has decided to deny the Australian music public, and music lovers, that acoustic quality.

This year’s budget carries \$3.9 million for work to accommodate a visual arts organisation in that space. And it shows that the Chief Minister is only concerned with visual arts. This has been done with an abject lack of public consultation. Why would a government deny the people of Canberra, and the people of Australia, the right to have a say on the future of the Fitters Workshop if it is so widely regarded as having an outstanding acoustic for music?

Why would the government, as suggested yesterday in a letter to the editor, look such a gift horse in the mouth? Why would a government give a superb, historic, public facility to so few when it could be given to the whole community? Or is it that Jon Stanhope is simply a philistine and a redneck when it comes to the performing arts as opposed to visual arts?

Much has been said by Mr Seselja and Mr Smyth already in relation to the impact of this budget on Canberra families. I note that, when Mr Seselja tabled his “ACT Labor vs the family budget—The rise in cost of living under the ACT Labor Government”, it was pooh-poohed across the chamber and cast aside as a mere slideshow. But the figures show matters of real concern and in areas that I am particularly concerned about.

I draw your attention, Madam Assistant Speaker, to the issues in relation to water, where it shows that water prices so far, not including the price increase that was announced last week, have doubled, by more than 163 per cent, since 2001 and that the growth in the cost of water in the ACT over the last nine years has outmatched the growth in CPI by 98 per cent. In addition, we will see, on 1 July, a further 15 per cent increase in water costs and a seven per cent increase in waste water costs. This 15 per cent increase in water costs will mean that the cost of water has gone up by 200 per cent since the inception of the Labor Party in government in 2001.

There has been a lot said about the colour of this budget. There were people who said that it was a beige budget, in a sense implying that it lacked imagination or it lacked any real punch. But that is not true. Mr Seselja is right. The punch, the real kicker in this budget, is to the hip pocket of Canberra families, the Canberra families who are paying a 57 per cent increase in parking, a 200 per cent increase in water, an 11 per cent increase in childcare in the last two years. All of these things come on top of rates and charges, taxes and increased land costs. These are all a kicker for Canberra families.

It is a cynical budget that prepares us for a pre-election budget in 2012. It is one that sets up a memorial for Labor personalities. And it is one that makes commitments that should have been made years ago.

MS BRESNAN (Brindabella) (4.16): This budget takes steps to provide protection for low income households that are finding life harder because of Canberra's strong economy and increases in the cost of living. However, this budget also awards most of the new funding to acute areas with smaller amounts to prevention. While there is an increase in recognition of preventative focus programs, we need a greater shift in funding towards prevention to create a better future for Canberra's population.

Taking health as the first example, the acute end of services accounts for the majority of recurrent funding. The standout preventative initiatives focus on chronic disease management and mental health training. The Greens acknowledge that the Canberra population is growing at a rate of about one to two per cent annually, but the health budget is growing at seven to nine per cent per annum, and most typically at the acute end.

I also acknowledge that shifting the focus of health budgets to preventative focus is going to take time, particularly when we look at the level of chronic illness in the community currently. However, the rates of growth in health budgets cannot be sustained. There is a recognition from health organisations that we need to shift to a wellness approach to health that focuses on people addressing their health before they become ill, particularly chronically ill. What the Greens want to see from the government is a strong vision for what it will do to address the impact of chronic illness in the future.

In regards to mental health, a priority area for the Greens, we are pleased to see the government increase funding to this area. We are particularly pleased that two initiatives in the parliamentary agreement have had successful trials and are now permanently incorporated into future budgets. These are mental health training for teachers, police officers and emergency workers and providing additional staff to the ACT Magistrates Court forensic mental health liaison team. We also have an increase in new funding going to government in the community sector through the agreement.

The majority of the funding, however, for mental health has gone to the acute end for the new adult inpatient unit at Canberra Hospital. It is essential that the new unit is best practice. However, we must see an investment in community services in keeping people well and preventing them from going from crisis to crisis. I am very concerned that there is no funding in this budget for the construction of the forensic mental health facility. It is not clear what has occurred, and the minister would not be surprised to know that I will be seeking information on this in the estimates process.

The community provided feedback on the proposed forensic facility, and the government, I understand, made a significant range of additions to the design. Questions that need to be answered are: why has the identified \$40,000 per annum been taken out of the budget; what has been done to improve the crisis management unit at the AMC in the meantime; and what will now be the time line for the new forensic facility?

It is also interesting to see in relation to corrections that \$620,000 allocated is for a feasibility study for future growth at the AMC. The Greens recently asked the

Attorney-General via motion to report back to the Assembly on where the ACT was seeing this growth and if community corrections, for example, were being adequately supported. I look forward to a response on this matter, because that will very much go to what is being funded in the future for corrections and ensuring that we do provide options for people that do not need to go into the prison system. The Greens are concerned with the decision to cut around \$407,000 for the prisoners chapel and quiet place. This is, again, a decision which requires an explanation.

This year's transport budget contains some positive initiatives which I would like to acknowledge. The Greens called for the extension of rapid bus services to Kippax, which is in the budget, although I would argue this service needs to be delivered as a priority to southern Tuggeranong as well. Commitments made to bus transit ways and bus priority lights in the budget are also particularly welcomed, especially for the major route of Northbourne Avenue. It is positive that the government is progressing bus station designs for Barton and Dickson as well as a city layover bus facility. These are priorities from the strategic public transport network plan.

Of course, what is still needed in order to properly inform these developments is very strong targets for modal shift and transport emissions reduction, but we are still waiting for the sustainable transport action plan. I also welcome the increased catch-up funding for improving disability access at bus stops, but much work is needed to ensure all members of society have equal access to transport.

Despite these positive items though, I regret to say that the government's overall approach to transport is still somewhat disappointing, and this is reflected in the budget indicators. Perhaps most revealing is the indicator measuring the increase in public transport modal share. I have pointed out before that the government already has a modest target, yet the achieved target was only half of this. The same had occurred for the patronage target. A common response from the government is that it is doing what it can, but there are forced budget limitations. We would argue that the real issue is about priority.

Once again, the budget numbers reveal the priorities of the government. If you tally the new capital works spending that this budget commits to sustainable transport initiatives, such as new bus stations, bus priority measures and walking and cycling infrastructure, the total is \$16.3 million over four years. If you tally the new capital works this budget commits to transport initiatives, such as new roads and road widening, the total is \$208 million. This is approximately 13 times more than sustainable transport infrastructure.

Lastly, I must comment on the proposed Majura parkway. The \$150 million proposed for this road is borrowed money. It is also money for a project that still has no support from the commonwealth. I point out that the \$150 million might be better spent on transport options for the people of Gungahlin that will last into the future, such as light rail, infrastructure such as bus priority, and fast and frequent public transport in conjunction with safety upgrades to the existing Majura Road.

As the Greens industrial relations spokesperson, I also want to comment on the budget's response to the ongoing issues with ACTION. In addition to the recent

negotiations, I understand the budget has set aside money for reforms to the ACTION workplace structure and conditions. It is very important to address these workplace issues, and I will be keen to receive more information on this and how the government proposes to address issues with the workforce, which will also then allow for future improvements to the ACTION service.

In relation to housing, there is an increased focus on supporting vulnerable people. The Greens made a budget submission in relation to the agreement, asking for \$10 million for public housing growth and an extra \$2 million a year for retrofitting public housing. I am very pleased to see the \$8 million over four years for energy efficiency funding. There is in the budget 9.5 million for public housing, which is a significant investment. However, we need to see this level of continued investment in each budget to maintain and grow public housing stock, particularly with federal stimulus funding about to come to an end.

The Greens are very pleased to see funding for the common ground feasibility study, which is an excellent proposal, and the expansion of housing at Narrabundah long-stay caravan park. We need to see more housing options for people on low incomes. I would also like to see funding for people with a mental illness who require high level and 24-hour care. Looking at the ACTCOSS budget response, they have similar concerns to the Greens about community housing being charged at 75 per cent of market rent and being labelled as affordable.

With disability, there is a focus in this budget on the education of young people with a disability, which Ms Hunter has already spoken about. That is to be commended and it is something in which the community has been calling for increased investment. The smart cards for wheelchair accessible taxis and increased vouchers are important, but they are only a part of what can be done and needs to be done. The Greens believe the current framework for wheelchair accessible taxis is problematic and needs to shift to salaried drivers. I am sceptical of what the government will achieve with releasing more licences and providing more subsidies to encourage people to drive wheelchair accessible taxis, as this approach has been tried before and failed.

With regards to multicultural affairs, the main focus of multicultural affairs in this budget is for additional funding for the Multicultural Festival and for further support for employment support programs. Getting employment for people from culturally and linguistically diverse backgrounds, particularly people who come to Canberra as refugees and new arrivals, is vitally important. This is an important program that needs to be supported. The increased funding is welcome.

The Multicultural Festival is an important way to involve the Canberra community in other cultures. However, we need a process of developing ongoing cultural understanding in the community. The Greens would like to see programs that focus on multi-faith religious understanding pursued particularly through schools. Such programs have been successful in other states, and this is something we would like pursued in terms of making sure that we develop ongoing culture understanding in the community. One-off events like the Multicultural Festival are good and they are wonderful for the community, but we need ongoing understanding to be developed.

With regards to ageing, the Council on the Ageing in their budget submission requested several items largely concerning health funding. One of their requests was for a mobile dental clinic to minimise travel difficulties for older people. This proposal has not been funded. While I recognise there are ongoing discussions at a federal level on dental care, there is still no resolution on this and it is an area of healthcare which remains underfunded. It is also an area that does not receive the focus it should, as it impacts on so many areas of health for people who have poor dental health. Older people are particularly impacted, so I hope to see recognition of this in future budgets.

COTA also made a submission on the respecting patient choices program. This is a program the Greens would like to see an increase in resources directed to. This is an important program in terms of making sure that people are aware of what their choices will be when they become ill. It is important that it is promoted as well with older people so they know they can access this program.

With regards to the Brindabella electorate, I welcome some hard fought wins for groups in the Brindabella electorate. Stephen Caldicott, President of Tuggeranong Archery Club, has campaigned for a number of years for the construction of a multi-use sporting facility in Tuggeranong, so I am extremely pleased to see this funded in the budget. The multi-use facility will also house the Tuggeranong Men's Shed. The men's sheds are extremely important groups in terms of reducing social isolation and addressing mental health issues for men. Currently, the group is divided between two sites at the Lake Tuggeranong Sea Scouts club and Lions haven, Kambah. So I hope this allows them to bring all their activities together on one site and that that will be a real positive for them.

The Greens submitted two budget bids for a park and ride in Calwell and a Redex-style service departing from Calwell. I am disappointed that, while there has been an extension of the Blue Rapid service to Kippax, there will not be a similar service for south Tuggeranong. I recognise that Calwell is currently serviced by two peak Xpresso services to the city. However, if we want to improve services to this area of Tuggeranong, expansion of current services is most definitely warranted.

I understand that Calwell has been included in a park and ride feasibility study in the 2010-11 transport for Canberra program, which was expected to report in April this year. I very much look forward to the minister providing the results of this study publicly very soon. In regards to the Calwell park and ride, I would like to acknowledge the work of Nick Tsoulis, who has campaigned for this facility for a number of years.

Mr Coe: As has Steve Doszpot.

MS BRESNAN: I recognise Steve Doszpot as well. Thank you, Mr Coe. There was considerable support for the Calwell park and ride from a range of community organisations, schools, businesses and individuals, and I sent those letters to the ministers concerned and also to the other members from Brindabella. I hope they took note of those letters. I hope that the minister and the department listen to the support that exists for a park and ride in Calwell.

MR COE (Ginninderra) (4.29): In my maiden speech in 2008 I said:

I believe that good public policy is best achieved when government focuses its efforts on its core functions and doing them well.

Unfortunately, this budget and the government's aims do not comply with that.

Yet again, we have a government that spend taxpayers' money according to their partisan ideological agenda, which is one of big taxes, red tape and a lack of attention to core business. For once, it would be nice to see this Labor government focus on outputs rather than inputs. For once, it would be nice if the government focused on what services were being delivered for the money rather than simply seeing spending money as being an achievement in itself.

The Leader of the Opposition, Zed Seselja, has clearly articulated the tremendous pressure Canberra families are facing at the moment. Whether it be house prices and the cost of rent, soaring electricity and water prices, the cost of parking, increases to rates and other charges, Canberrans are doing it tough and are not getting much in return for the government's expenditure. Can anyone actually say that their lives are better now than they were when Labor came to power 10 years ago? Can anyone actually say that we have a better quality of life as a result of increase after increase to the taxes, fees and charges we all keep paying?

Instead, the result of the record revenue for the government is a 10-year road project, the GDE, which is still incomplete, and public art around the city, often by the roads where daily bottlenecks are occurring.

Ten years ago the budget featured expenditure of \$2,030 million. Now, in 2011-12, the budget will see expenditure of \$4,098 million. What extra services are we getting for this money? Where is the infrastructure to help justify the increase? Even with CPI taken into account, the \$2,030 million would translate to about \$2,650 million. That still leaves \$1,400 million, or \$1.4 billion, per year above inflation that this government spends above the levels of 10 years ago. This government has been ill-disciplined and selfish when it comes to spending other people's money.

I will now turn my commentary to my shadow portfolio areas of urban services, transport services, housing, heritage and youth.

For years, ACTION has been underperforming and charging the taxpayer too much for it. In this year's budget, we see further creep in the cost of running the service which less than 10 per cent of Canberrans use.

Not only did ACTION blow their budget of \$111.8 million out to \$114.4 million; they lost 26 per cent of their budgeted revenue from non-government user charges—that is, paying passengers. Can you imagine if a business lost 26 per cent of their revenue base from their customers? If the business survived—and that is a big “if”—there would have to be major changes and the decisions would be scrutinised to a considerable degree. Instead, at ACTION, where the government has created a culture

where revenue collection and service delivery play second fiddle to propping up bad practices, nothing seems to change.

For all the talk Mr Stanhope occasionally makes about the much-needed reforms and the disappointment he has with the network, nothing ever changes. Either he does not have the willpower to make the change or he does not have the power to because of Labor backroom arrangements.

The people of Canberra deserve better than this. They cannot manage the purchase of new buses; they cannot manage the roll-out of ticket machines; they cannot manage timetable changes; they cannot manage route changes; and they cannot manage their staff IR negotiations.

It is hard to say what is the best area of ACTION. It is hard to say what area of ACTION is actually performing well. I have confidence in the capability of ACTION staff. I just wish that the minister would listen to their advice and empower them to make the changes they know need to happen to the network.

After all, the cost per boarding for ACTION is now up to \$6.49, up from \$6.18, and the cost per kilometre is up to \$4.33, up from \$4.27. And it is worth noting that the quantified mismanagement of the ticketing system through the old faulty machines cost \$4.381 million. This figure is a disgrace. There are real consequences to government mismanagement, and this incompetence should be highlighted today.

As I said in the Assembly yesterday, the Gungahlin Drive extension is symbolic of ACT Labor. It is indicative of their disregard for Gungahlin residents, their lack of consideration for taxpayers' money, their inability to plan for the future and their arrogance in placing expensive public art projects on the side of the road for motorists caught in traffic jams to be forced to observe. Yesterday Mr Stanhope said:

We do accept ... that the road has had its moments.

He is correct—every morning and every afternoon. In 2001 Labor said it would cost \$53 million. Now the cost will be \$194 million, at best.

Then there is the government's spending of an extra \$1 million on mowing services in 2010-11 because of additional rainfall which spurred growth. However, where were the savings when rainfall and growth were below average? A benefit of outsourcing projects such as mowing is being able to scale up and being able to scale down. We have not seen these benefits.

Again, we saw this government's mismanagement of ACTION's ticketing system cost over \$4 million. And the government then cries poor, having to spend an extra \$1 million on core business such as mowing. This government cannot manage our budget.

We also saw Roads ACT resurface 25 per cent less municipal roads than targeted. Again, can rainfall really be blamed for 25 per cent less? Did we also have comparable savings?

The budget also tells us that rather than 100 per cent of the activities identified under the bushfire operational plan being undertaken, only 85 per cent were. I hope the consequences of that 15 per cent shortfall will not be experienced through worse conditions in the next bushfire season. Through estimates, we hope to get to the bottom of that.

The quality of life, cost of living and transport woes all come together at a horror intersection of government policy when it comes to parking. Parking costs are again on the rise and the problem gets worse and worse. Why should people pay more if services deteriorate? As a monopoly supplier of public parking in some areas and the predominant supplier across the territory, the government must be responsible for the provision and pricing of the service.

The *Canberra Times* reported that people in the city will be paying an extra \$1.50, from \$10.50 to \$12, for parking, and people in Belconnen, Tuggeranong and Woden town centres will pay an additional \$1 when prices go up from \$7 to \$8. This will increase the territory's coffers by an extra \$2.2 million. The government say that this is part of their "integrated approach to achieving a more sustainable transport system". What this means is that they will try to push people onto buses and bikes by stealth. However, they also know this is not practicable, so they are simply gouging Canberrans who have no choice but to use their cars. This is dishonest. Canberrans should not have the parking woes we have, and this remains one of the legacies of 10 years of Labor.

What did the Greens' Caroline Le Couteur have to say in the *Canberra Times* about the parking hikes? "What we've seen with indexation is a rise in fees in line with inflation." Ms Le Couteur, I do not know what world you are living in, but inflation was not 15 per cent in the last year. I ask the Greens to address this point in their response to the budget.

Again, we see in housing a government that sees the acquisition of more public houses and increasing dependency as a good thing. The Canberra Liberals believe in supporting those in our community that need help. We also believe in making housing and living conditions such that as few people as possible get into a situation where they require public housing. We want to see a situation where houses and rents are affordable and people are not driven to a position where they have to go to the state for the provision of housing. This is a crucial policy area where our philosophy differs from those of the other two parties in the Assembly. We want to avoid the need for families to be forced to become dependent on government handouts.

We have also seen the average cost per dwelling of public housing go up from the target of \$9,600 to \$9,800. This is an amazing figure. Yet, in spite of this incredible cost, the ACT government will still not up the role of the community housing sector in spite of their efficiencies in the sector.

We have also seen an increase in the number of vacant properties that are not re-let within 28 days. Given the high demand for housing because of the huge cost of living pressures in Canberra, this delay has real consequences, and it is a tragedy that we

have empty houses while mortgage and rental pressures are pushing people to the edge.

We see very little mention in this year's budget of the heritage portfolio. What we do see, however, is the heralding of \$10.3 million for the arts and heritage places by way of a budget media release. The fine print, however, reveals that only \$150,000 of this amount is allocated to expanding the "Canberra tracks" initiative.

The heritage unit, currently located in the Chief Minister's Department, has been described by Dr Allan Hawke in the public service review as being one of the "fragmented" functions in its current location. It remains to be seen whether or not the relocation of this unit to the new sustainable development directorate will alleviate this fragmentation and therefore allow for some real strategic work to be advanced.

The estimated cost of youth services for 2010-11 was \$22.465 million, which was a marginal saving on the budgeted figure of \$22.567 million. However, the cost is forecast to grow to \$24.199 million in the next year. The cost per custody day at the Bimberi Youth Justice Centre was slightly lower than the targeted cost of \$955, but this was only achieved because the government's target of 7,000 custody days was exceeded by 1,000 custody days, which is a huge increase. In addition to that, the government has chosen to remove the cost per custody day from the 2011-12 budget, so there is no direct comparison available for the next year. However, it also has to be said that the cost of \$19,460 per youth services client is extremely high.

The budget also includes \$1.55 million for a security upgrade at Bimberi. How can it be that a state-of-the-art facility, apparently, that cost \$40 million for a 40-bed facility that is less than two years old, needs an upgrade? This is absolutely outrageous and it is indicative of this government's inability to manage the youth portfolio and their inability to manage the budget.

This is a budget with very little in tangible improvements for the residents of Canberra in exchange for the roughly \$4 billion of revenue and expenditure. This government is irresponsible when it comes to dealing with the priorities for our city and in dealing with the funds provided to it by its residents.

I believe Canberra is a good place, but it could be even better. I want to see a government that do not concentrate on grandiose schemes and pet projects but concentrate on the core business of running this city-state. Whether it be in areas such as transport, urban services, housing, heritage, youth or the many other portfolio areas, this government need to do more in delivering real tangibles for the real money that they receive through taxes.

MR RATTENBURY (Molonglo) (4.42): I am pleased to take this opportunity to speak about this year's budget and particularly to endorse the comments made by my colleague Meredith Hunter and to use the time that I have available today to focus on the areas of my portfolio responsibility.

I would like to start with climate change and energy. I think the government has focused this year's budget on two main areas: government operations, and the

Canberrans who are most affected by the rise in electricity prices that have already come and that are predicted in the short to medium term as a result of transition to clean energy generation and the upgrading of the infrastructure that has been so badly neglected in recent years.

In terms of government operations, the government's purchase of renewable energy is increasing and that is certainly welcome, an additional five per cent up to 37.5 per cent. Unfortunately, this is slipping behind the 10 per cent per year that was in the Greens-ALP agreement but it is an improvement on last year and is certainly a step in the right direction. It is important to note that this comes hand in hand with the new resource management fund of \$2 million which offers loans for agencies to run projects designed to improve sustainability outcomes for government agencies.

This is a very important point because what it speaks to is that there is an opportunity for agencies to save money through energy efficiency which helps offset the costs associated with the increased purchase of green power. Certainly that is something that the Assembly has been able to achieve and I think it is an opportunity that is there for many agencies to use this fund to make those similar savings themselves.

It would be nice for the government to consider offering such a loan scheme on a broader scale to the general public to fund energy efficiency measures in their own homes, but of course we are still waiting for the government's energy policy and their energy efficiency strategy for the residential sector, so perhaps there is still time for an idea like that to emerge. I certainly hope it is something that can be taken into account.

The budget also contains \$780,000 over four years for sustainability data management, to collect and collate data for the whole of government. This is useful because at long last we may actually get some accurate reporting by government on these measures and a real baseline from which we can then start to set the much talked about departmental carbon budgets, because of course if we are not measuring, if we do not know and we do not have a reliable source of data, it is impossible to have an accurate sense of what needs to be achieved and what has been achieved. It is important that we are able to measure these factors so that we can know what is actually happening and also take the valuable lessons from what has worked and perhaps what has not worked.

I also spoke about the various initiatives for low income families and I am particularly pleased on this front because members may recall that during last year I tabled a motion in the Assembly—it was partially debated; we did not manage to finish—that addressed exactly this issue of costs for low income people in Canberra, for the most vulnerable households. Low income families, people living with a disability and older people in the ACT are the people who perhaps perversely spend more time at home and generate greater electricity bills and yet have the least means to pay than the rest of us who come to work for large portions of the day and do not have the same heating and cooling bills.

In that motion we advocated for a number of things and I am very pleased to say that the government has adopted a number of those points. I welcome the fact that those ideas have been picked up because it is always good when a good policy idea comes

forward to see it get taken on board without needing some terrible sense of ownership. Unfortunately, the first of those was not taken up, and that was that the government adequately resource an advocate in the community sector to advocate on emerging energy policy issues. This was the subject of a Greens' budget bid of some \$98,000. We believe that was a small amount of money to empower the community sector to advocate on energy policy. It is an incredibly complex area. It is a difficult one for many people to get their heads around and we believe that the community sector would really benefit from having such a position. It is something hopefully we can re-examine in the future.

But on a more positive note, a number of measures have been picked up. We asked for an increase in the energy concession to a level commensurate with energy price increases since 2005 and I think this is one of the most significant initiatives in the budget from the government to help low income households in the ACT. The increase of around \$130 a year is very welcome. I think it will make a significant difference to people who are struggling to meet the rising cost of energy and I welcome that. At the time we also suggested to the government they establish a mechanism by which percentage increases in energy prices are automatically applied to the energy concession each year. Whilst I have not seen that detail yet, I hope it is there and, if not, that the government does consider building that in as part of the story.

We also suggested extending the methodology of the WEST program to other people who are socially or financially disadvantaged. This has been a very successful program and again I am pleased to see that the government has extended that program with an additional \$4.4 million in what is called West Plus. This is particularly helpful for targeting low income families that are socially or financially disadvantaged to help them with energy efficiency.

This is a very strategic investment because the cheapest unit of electricity—we have heard a lot of talk, from Mr Seselja particularly, some of it factual, some of it not so, about electricity prices—is the unit you never have to buy. By targeting needy households with energy efficiency that is exactly what we are doing for them and I congratulate the government for including that in the budget.

We also suggested ensuring that people who are socially and financially disadvantaged be specifically targeted in all energy efficiency policies and programs implemented by the government and I think the increase in investment in energy efficiency measures for public housing meets that criterion. Again that is a welcome inclusion in the budget.

Let me turn now to broader environment issues, particularly issues of biodiversity and our nature reserves, because the budget has delivered some new funding on this front as well. Nonetheless I remain concerned that solving the chronic problems of weeds, feral animals and erosion requires a more comprehensive rethink about how our nature reserves are managed. They are one of the absolute jewels in the crown when it comes to this city and are highly valued by residents right across the city. We have seen some new initiatives, with \$1.8 million over four years for pest plant management. This will go some way to delivering the high priority projects that were previously held over because of a lack of funding.

The government's operational plan for weed management for this current financial year shows a shortfall in funding of more than \$600,000 for projects that were on the program. A number of those projects were high priority projects and a number of those projects were follow-up projects; they are the most frustrating ones because those follow-up projects often only cost about \$5,000 a year. Many of them are identified in the operational plan. These are circumstances where the government has actually spent the money on the initial removal of weeds but, as anybody who has done any of this kind of work knows, you need to keep at it for another couple of years to make sure the weeds do not come back. So it is a false economy to not spend on the follow-up programs and it really undermines the initial spend. This is frustrating, short-term thinking and a really wasteful use of government resources. Hopefully this additional funding can help address some of those gaps.

The removal of weeds in Lake Burley Griffin is helpful and the money for woodland regeneration and rabbits is also welcome. Rabbits of course are an ongoing problem. We have seen in the last couple of budgets this extra little pot of money for rabbit control. Rabbit eradication requires a sustained, concerted effort and this sense of each year suddenly at the last minute a bit of extra money coming in really limits the ability for strategic investment in rabbit control. I would urge the government to be more long term in the way that it funds and resources these kinds of programs.

Over the past two years the number of rangers, the support to park care groups, and government funding have not appeared to be adequate to keep up with the management of significant areas that make up our nature reserves here in the ACT. These are issues that I have raised on a number of occasions and I think that we still face gaps in this area. I am certainly looking forward to seeing the environment commissioner's report on the Canberra nature park because I think this will offer us potentially recommendations for systemic changes that will bring long-term relief to our areas. I think we will be looking very closely towards next year's budget to take on board some of the recommendations that come from the commissioner so that we move from a bit of a pattern of year to year funding ideas and a bit of a lack of strategic vision towards a more comprehensive approach to managing, caring for and sustaining our nature parks and reserves here in the ACT.

In the overall sense of looking after the environment, on both the climate change and energy fronts, the budget reminded me very much of the motion that I brought into the Assembly yesterday which talked about the lack of strategic plans and the failure to complete them. I was very much reminded of that in looking through the budget where in places we see, as I said, some quite positive initiatives but really lacking a broader strategic framework and a clear sense of where we are actually headed. That does seem a shame and it is one of the frustrating elements in places in the budget.

Let me turn to the Department of Justice and Community Safety. There are a number of initiatives here. For me the spending on legal services is perhaps one of the most interesting questions in the budget—where we spend the dollars that are available to us. This is a matter I would very much like to pursue through the estimates process because I think there are some outstanding things in the budget which really are worth exploring and getting behind the decisions that have been made.

There is an extra \$80,000 for Street Law to meet new staff demand. That is welcome. It has proved to be a very valuable service. The outreach model employed by Street Law has been very effective and it has met a clear demand. However, I am aware that the Attorney-General has some concerns about the way the money has been spent in the last few years and it is important to resolve those issues quickly so that we can continue the service with confidence because it clearly is delivering something that is really needed in our community.

I am extremely disappointed we have not been able to more comprehensively address the accommodation crisis facing the community legal centres. It has been documented that the CLCs are not able to accept pro bono legal assistance for those people falling between the cracks in our legal system, because of simple lack of space. That seems a real failure to harness the energy and the resources that are available to our community. We already know that for every dollar government spends on community legal centres \$100 in costs is avoided down the line in the legal system. Imagine how much more that could be if we were able to take full advantage of the generosity of some legal practitioners in the community. The government in this budget has found \$5.6 million for feasibility studies across all of the government but not a single dollar to be able to undertake some sort of feasibility study on how we might address the accommodation crisis facing the community legal centres.

There is \$1.6 million to create a legal aid help desk and yet in the budget papers we see that three full-time equivalents will be lost from other parts of legal aid. I would be keen to understand exactly what that is about. But it does raise questions. What is the best way to spend dollars? Is it a legal aid help desk? Is it lawyers? Is it community legal centres? I also note that there is \$3.6 million for new lawyers in the Government Solicitor's Office to work on human rights, industrial relations and child protection issues but no new funding for the human rights commissioner. These are questions that warrant some further discussion.

I welcome the increased resources for security in the courts. I know this has been a source of concern for the legal profession. We have seen some distressing incidents and this will hopefully provide a better sense of security for those undertaking those tasks.

When it comes to emergency services, the injection into the Ambulance Service is welcome, with new ambulances and field staff. This is a good example of a sensible government approach to delivery of services. The Lennox review last year suggested additional communication centre staff and that was funded in last year's budget. Lennox went on to say that once that was done we needed more field staff. It is good to see that that did not get dropped and the government has followed through on that in the budget this year.

I also welcome the \$1 million for 32 new Fire Brigade recruits. Again it is interesting to read in the budget papers about the ageing of our fire service staff and it is good to see the government getting on the front foot there and starting to recruit now; also the commissioning of a feasibility study into the emergency services relocation. It is important to get that work underway.

Just briefly on sport, we particularly welcome the funding for the new Gungahlin pool. I think it is long overdue. Gungahlin needs these sorts of facilities and I am pleased to see it going ahead. Overall, investing in community sport delivers the most bang for buck. I think the Gungahlin pool fits that model. The other initiatives, including the bringing of playing fields back on line, also fit in that. I would like to explore in estimates in a couple of weeks time the issues around the new Molonglo leisure centre.

MR DOSZPOT (Brindabella) (4.57): I welcome this opportunity to provide commentary on the 2011-2012 ACT budget, the third Stanhope-Gallagher budget the Treasurer has delivered—a task she suggests is an exhausting and rewarding privilege. Well, clearly, while the activity might be a rewarding one for the Treasurer, I suggest it is not rewarding or a privilege for those Canberra families who have to pay for it and who face ever-rising charges for their water, electricity, their rates, their children's education—the list goes on. There are record borrowings, record rates, record taxes—all this under conditions that have also provided record revenues.

Disappointingly, but not surprising to those of us on this side of the chamber, we hear the same whingeing rhetoric of how tough it was to put the budget together in such changing economic conditions—the ongoing loss of GST revenue and increasing cost pressures. Yet, the Treasurer acknowledges that revenues have improved due to stronger economic activity. And, of course, let us not forget the \$80 million windfall courtesy of News Ltd.

In turning to the Education and Training budget, I note that it is the second largest financial commitment for the government. That is appropriate. Education is the window to a lifetime of opportunity and if we do not get the settings right, we condemn a generation of young Australians to failed aspirations. My overwhelming concern with this budget is that it is what the *Canberra Times* suggested in its post-budget editorial, a budget “with a clear purpose in mind: the re-election of the Stanhope government”.

I suggest the government has taken the children's birthday party approach. Almost everyone gets an invite and a little gift and almost everyone can feel they have been noticed. I said “almost”, because there is one quite significant omission in the Treasurer's speech on Tuesday. Incredibly, not once did the non-government school sector get a mention. Not once. In a speech of almost 40 minutes, this Treasurer did not have one single comment to make. And yet over 40 per cent of the territory's students attend a non-government school.

Clearly, parents who choose non-public schooling for their children are not part of the community, not part of the community that the government is responding to. Clearly, in the eyes of this government, this Treasurer and this education minister, parents of children in the non-government sector require no additional support. This is another sector of the community already hit hard by rising costs. Quite clearly, the Treasurer's budget presentation highlights and reaffirms this government's ongoing and clear lack of commitment and disregard for the independent education sector.

Over 40 per cent of Canberra's students, their parents and their school community were totally ignored. This was not a one-off oversight. The government and the

education minister confirmed their position clearly in the chamber yesterday when they and the Greens joined together to vote down an opposition motion supporting current funding arrangements for the non-government schools sector.

I wonder where that leaves the ACT Department of Education and Training's strategic plan 2010-2013 *Everyone matters*. Everyone matters? Obviously, "everyone" only refers to the 59 per cent of students in public schools. Clearly, those in non-government schools do not matter and presumably neither do their parents. I urge non-government school administrators in Canberra to remember this next time their school is asked to host a visit from the education minister or a Greens or a Labor MLA.

But let us be fair. This same disregard from this minister, this education minister, was clearly evident in his approach to the government school sector as well. Let us not forget that it was only last October that the minister was perfectly happy to offer up efficiency dividend cuts that were arrived at without any consultation with the government school communities and would have placed significant additional burdens on student and teacher support services and resources.

The cuts were as wide as they were deep: two early intervention preschool support teachers, two support teachers for early childhood English as a second language program, an early childhood support teacher for behavioural mismanagement, two hearing support positions, one of four vision support teachers. The list is endless.

There were roughly speaking 40 proposed reductions in departmental branches with support and/or student responsibilities. The support services targeted for cuts affected disabled and marginalised students. The minister called these efficiency dividend cuts a sensible measure. A sensible measure—so what is in the budget for the educational sector? We apparently have to be full of forelock tugging gratitude that the Education and Training directorate has been unable to meet the efficiency dividend due to the risk to delivery of front-line services and therefore it is excused from meeting such targets.

Let us not forget that government inability to control spending has been the key driver of the need to find savings and even this government could not be so insensitive to slash and burn education at a time when universally it is recognised that Australia is losing ground internationally in numeracy and literacy standards. Or could it?

The Canberra Institute of Technology is expected to find savings of \$1.44 million this year and \$1.6 million for each of the next three years at a time when vocational training is seen as critical to addressing skills shortages in the workforce. There is a total of \$33.4 million in new initiatives over the next four years, the bulk of which is to support students with disabilities in public education and to reward high-performing teachers. Other initiatives include improvements to administration and accountability in primary schools, increased access for students to the arts, and to encourage secondary school innovation and sporting excellence. Let us wait until the estimates to find out what all that really means.

In capital works, we have a bit of everything. We have new schools scheduled for Bonner and Franklin and upgrades to Macgregor and Majura, and some money—

\$9.2 million—to finish Gunghalin, Namadgi and Harrison. We have money, \$1.8 million, to upgrade the hydrotherapy pool at Malkara special school, upgrades to school toilets, and other similar maintenance issues, some artificial turf and money for the Canberra college cares program for student mothers.

Malkara has 93 students from years 3 to 12 and every student accesses hydrotherapy at least once a week; so clearly this is welcome. But experience tells us that what is suggested is not always delivered and almost never, never on time or within budget.

Take the strategic objectives listed in the budget for education and training. There is a list of indicators with targets and actuals for a range of measures. They fell short of last year's targets in all but one measure, but perhaps the most telling—that which measures overall satisfaction of parents and carers with public school education.

The target was 86 per cent but they only got to 81.7 per cent. So nearly a fifth, nearly 20 per cent, of all parents are dissatisfied with their children's public school. That is something the minister can be proud of? And I can see nothing to suggest it will be any better next year.

The department's strategic plan, released just last year, talks about ensuring students have a safe and inspiring learning environment. But we have increasing evidence of bullying on school campuses and I see no strategies in the budget to address this.

The plan suggests improved quality of teaching, but our teachers lag behind other states in pay rates and conditions. A key performance measure in the plan is the proportion of children participating in public schooling in the ACT. But we know where that is going: backwards.

Sure, the last two years have reversed the previous trend of negative growth, but it is now slowing down again with an increase this year of only 0.4 per cent in public schools, compared to 2.2 per cent growth in non-government schools. Over five times as many children are enrolling as new enrolments in non-government schools. So we have a public school sector that is becoming increasingly less popular with parents, a non-government sector growing but getting little help from the government, and a vocational sector expected to find savings.

But it is all okay! The minister said so yesterday. It is all okay, and he used the ACT government's hasty embrace of the Australian national curriculum initiative as evidence of their progressive approach to education. The fact that every other jurisdiction in Australia has held back from embracing the national curriculum at this point because of fears it is dumbing down their own current curriculum seems to have been lost on this government.

Mr Barr was so keen to be the first one for a change to approach and initiative that he has taken it on when no other jurisdiction has. As the Leader of the Opposition pointed out in his speech earlier today, 90 per cent of our schools scored below average in numeracy, with only three of 34 ACT schools scoring above average in years 7 and 9. I might I point out that two of them were non-government schools.

In the disability sector, there are some positive initiatives. An additional \$20 million to support students with disabilities sounds really positive, and certainly not before time. But again, it is only for students in public schools. And do we have to go through the same tedious process we did last year to ensure it gets delivered?

Tough luck if you are a special needs student in non-government schooling. And so much for consultation. The non-government sector was also actively involved in the review of special education in ACT schools, only to be now completely ignored.

As Daryl Smeaton, the chair of the ACT Catholic Education Commission, said today:

It is clear the Minister for Education is not interested in the educational outcomes of close to half the school age population within his portfolio.

When you balance the \$20 million against additional revenue of \$400 million and spending of \$430 million for new government offices, you have to question the government's priorities. Certainly, the education allocations fall well short of what various groups sought in their pre-budget submissions.

The ACT Council of P&C Associations asked for a dedicated bullying response and investigation officer, recurrent funding to employ more relief teachers to help when stage 1 of the national curriculum is introduced, more funds for more materials to teach the new curriculum, and funding of counsellors and psychologists in schools.

As I said earlier, bullying in the playground and in cyberspace is becoming a serious issue for schools, school administrators and parents. It is entirely appropriate for the ACT Council of P&C Associations to seek help from government to address it. It is in the strategic plan. But that is where it stays. More rhetoric.

The Non-government Schools Education Council asked for a new approach to per capita funding to progressively increase to 25 per cent funding of students in government schools and a more realistic indexation factor. They also sought a new process to support capital development in non-government schools. The Catholic Education Commission sought equitable funding support for students with disabilities. Well, we know that they were ignored.

Turning briefly to other areas, I am relieved that at last we have some extra money for accessible public transport, for a centralised wheelchair accessible taxi booking service and increased places for school leavers with disabilities. I note that there is money in the budget for the Multicultural Festival. Given the current Minister for Multicultural Affairs' previous difficulties with keeping the Multicultural Festival budget in line, we can only hope the \$100,000 allocated for next year does not blow out like it did a couple of years ago.

In sports funding, again, we see this scattergun approach, but I welcome the improvements to the Isabella and Charnwood playing fields, the support for Asian Cup matches, and improvements to Manuka oval. As the nation's capital, we need quality playing arenas to attract top sports events.

In summary, this is the third Gallagher budget and it shows. Clearly, it is not a beige budget as some would suggest; and it is far too costly with record borrowings to be called bland. But despite all that, it still lacks inspiration, real vision and direction, and it arrogantly ignores the fact that Labor's mismanagement of the economy is hurting Canberra families. It is hurting Canberra families and Canberra deserves better.

Canberrans want road networks that work; buses that run; homes that are affordable; choice in education. They want a change from the cynical name calling if anyone dares to criticise; they want the stoush over hospitals to stop. We are all tired of legacy projects and smokescreens.

This is a government that has lost its way, lost touch with the community, and feels no shame in delivering the biggest taxing, biggest borrowing and biggest spending budget in the history of ACT self-government. And despite evidence that living in this city is hard on families, hard on renters, hard on home and unit buyers, hard on ratepayers, hard on those seeking surgery, the Treasurer would have us believe that this budget is meeting the government's commitments to the community and supporting those who need additional support.

Canberrans want a government that does what it says it will do. Canberrans want a government to get on with the business of managing the territory. They have been denied that for too long. (*Time expired.*)

MR HANSON (Molonglo) (5.12): "We pay more, we get less, we wait longer" was a headline in the *Canberra Times* last year and I think it aptly applies equally today to this budget, which is big spending, big taxing, Labor true to its form.

I turn firstly to health. What is clear from this budget is that Katy Gallagher has been distracted by her Calvary fiasco. Those of us that might have been looking for leadership from the minister to provide a way out of the crisis that we see in many areas of our health system are bitterly disappointed. There is no leadership in this budget from the health minister. There is no way out for elective surgery, which has the longest waiting times in the nation—in fact, more than double the national average. For the emergency departments, where people wait so long, there is no way out there. As to the number of GPs, which is the lowest per capita in Australia, we see nothing in this budget to address that issue.

She has delivered a budget that is focused basically on keeping up with the demand, keeping up with growth, but shows little new in terms of vision. And what she has done is broken a promise. She went to the last election promising a secure adult mental health facility. I think Simon Corbell had promised that before her. Certainly it was identified in the budget, so far as I can see, back in 2004-05. But it was definitely a 2008 election promise that she has broken.

She has been standing up today and she has been standing up throughout this week talking about ACT Labor's commitment to the mental health community. But they do not have a commitment to the mental health community that is on par with the

arboretum, on par with artwork or on par with the new \$432 million death star that is being built in Civic. If they cannot find \$11 million for a promise to build a mental health facility, when at the same time they are spending \$432 million on an office block, it makes it very difficult for the minister to stand up and say that she has a commitment to the mental health community.

In fact the Mental Health Community Coalition has stated that little has been provided in this budget for preventative and early intervention in mental health. And it is a kick in the guts to the mental health community. Look at the priorities for this government. Look at the priorities, as I have talked about, for the massive new building and the arboretum.

Then we heard the question asked at the budget breakfast by the father whose young daughter had been in emergency and had to wait 24 hours in pain: “Why do I have to wait so long?” When the Chief Minister was asked that question about priorities, the Chief Minister’s response was that this was tiresome and this was tawdry. I think that is absolutely outrageous and probably shows why our health system is heading in such a bad direction. If that is the attitude of this government, that when people complain about the service they are provided at the emergency department, which has their daughter in pain, waiting for a surgery for 24 hours, it is tiresome and it is tawdry, that is an outrage.

Primary health and preventative health are also big losers in the budget. This government keeps talking about the need for big initiatives in that area and talking about turning from just a focus on acute—“We have got to turn it around and focus on preventative health and focus on early intervention”—but I see very little in this budget that will turn that around. In fact, if you look at the budget in detail, and no doubt we will go through this in estimates, there are a number of programs that have not actually been delivered that were provided in previous budgets. Not only are they not providing anything of substance in this budget, they cannot even deliver on what they have provided previously.

Katy Gallagher has again failed to deliver on health structure, this time \$63 million, up from the \$50 million last year and the \$57 million the year before. Zed Seselja listed some of the projects—and there is quite a list—that have been delayed. They include the Women’s and Children’s Hospital, which has also blown out in this budget. And this is the minister that is telling us she is now going to invest \$800 million of taxpayers’ money in new hospital infrastructure. This is the minister that has spent 2½ years to try to actually make the decision. God knows how long it is going to take to actually build the facility that it took 2½ years to come to the decision on.

You know it was a bad one. You know she took on a fight, just like Simon Corbell did, with Calvary and lost. He tried basically a hostile takeover and lost. Katy Gallagher tried to buy them out and that did not work. Then she tried a whole bunch of different options. They did not work. All she has done is alienate large sections of the community and breach the trust of the Little Company of Mary Health Care and people like the Palliative Care Society and so on.

You know how bad it was when she took it out before the budget, she snuck it out, she took out the trash on the royal wedding day, the day she could guarantee it would get the least amount of coverage possible; she leaked out, “This is what we are going to do with the new hospital.” And what was it? It was back to where we were 2½ years ago—no change. What we are going to do is invest in Calvary hospital—nothing new, 2½ years of distraction and wasted time when she should have been focusing on emergency departments, on elective surgery, on GPs, on preventative health, on mental health. And what do we see? Wasted time, wasted effort; distraction from Treasury, to health, to Calvary, to the community. It is disappointing for everyone. If you look at the budget, it is a difficult budget to find much that takes us away from the downward spiral that we find in terms of many of the outcomes that we are getting from our health system.

There is one sector in the budget that I think we can all agree on—this is not directly from the ACT budget but I have been looking for a time to address this issue, which is one of vital importance—and that is medical research, the vital issue of medical research. There are rumours—and they have not been squashed by the federal minister, Nicola Roxon, or by the Prime Minister—that \$400 million is going to be cut from medical research over the next three years.

The impact is twofold. Nationally, it will take years to recover from that, if they do take that money out. Locally—and this is where it hits us—it would be a disaster for the John Curtin School of Medical Research. That is a crown in the jewel of the ACT. Many of us spoke to the condolence motion for Frank Fenner. If he could hear and if he knew what was being let out by federal Labor about planned cuts or rumoured cuts to medical research spending, he would be turning in his grave.

Australia and the John Curtin School of Medical Research have a very proud history that has directly contributed, through the medical research that they have conducted, to saving millions of lives around the world. I will just give you two examples. Sir Howard Florey, who was the Australian driving force behind the discovery of penicillin, and Frank Fenner, the man behind the eradication of smallpox, have saved many countless millions of lives.

The director of the John Curtin School of Medical Research, Professor Julio Licinio, has been a strong and eloquent voice in opposition to these rumoured cuts. I met with him, along with a number of his key research staff at the John Curtin School of Medical Research, recently and I left convinced that to make these cuts would be utterly reckless and would ultimately mean that people who would otherwise be cured of disease would die as a result. It was the professor who said recently in the media, and I paraphrase, “It is illogical to fund roof insulation one year and then cut medical research in the next.” He set up a website for project Australia for medical discovery. I recommend that members visit that website and see what he has to say. I am sure that they will then feel as passionately as I do about this.

I take this opportunity, minister—and it is good that you are here in the chamber—to ask you, to plead with you, to communicate directly with the federal health minister, Nicola Roxon, and say to her that there is tripartisan support, because I think that

I can speak on behalf of the Greens here, for medical research not to be cut in the federal budget. I think it behoves you, as the health minister of the ACT, to go to her in the strongest terms to make sure that that is not cut. I am willing to offer any support to you that you need to make sure that that does not eventuate. I would like to hear from you on what you will be doing to make sure that those outrageous cuts that have been rumoured do not occur.

Moving to corrections, we have seen in recent times the shocking Burnet and Hamburger reports and it is quite clear from those that there has been a failure in management. We now know what the cost of that mismanagement is from Simon Corbell. It is additional funding of \$5.1 million over the next four years allocated to address the issues that have been identified in the Hamburger report. That is just the Hamburger report, not the Burnet report.

Also in the budget there is scoping funding to address the issue that the jail is already full, after only two years of being open. Not only did this jail cost \$130 million, not only was it delivered with 75 fewer beds than it should have had and without a gym, without a chapel, without an outer perimeter fence, but we now know that there is money in this budget to cover for the fact that it was delivered underscoped by a minister who told the community and this Assembly that it had capacity in its current configuration for the next 25 years. That was not true.

We now know that it is costing \$422 a day for a prisoner at the Alexander Maconochie Centre. That is \$160 a day more than when they were sent to New South Wales. Based on current prisoner numbers, that is \$14 million a year to ACT taxpayers.

There is not a secure adult mental health facility. Where are your priorities? I will tell you where they are: they are an arboretum; they are a big new building. They are not where they should be. Though the prison has got lovely artwork—they spent \$100,000 on that—there is no gym, no chapel. In fact, that has now been deleted. It is in the budget that they have scrapped that. They promised it, but they have scrapped it—another broken promise from a minister in this portfolio area.

No wonder the *Canberra Times* described this jail as a shambolic disappointment. And that is the work of one Simon Corbell. Meanwhile, he and their Green colleagues are obsessed by a needle and syringe program. They are not worried about the \$40 million a year extra it is costing and they are not worried about the litany of problems identified by Hamburger and Burnet. They are not worried about the broken promises about prison beds and about chapels. No, they are not worried about that.

They want to have an NSP. But they are not going to get it because the union will not let them. You saw the press release and you saw the media yesterday. It is quite clear that it is never going to happen. It is a big white elephant: “Let us talk about an NSP to cover up the fact that this jail is a fiasco.” And this budget confirms it—broken promises, cost blow-outs, a fiasco.

Moving to police, there is nothing in this budget for police from this government, other than the rollout of a random roadside drug testing program. That is the only

thing. Whose initiative was that? The Canberra Liberals. And it was opposed at every step by Jon Stanhope and the Labor Party. It was described as redneck policy. So it does seem that if you oppose Jon Stanhope, if you disagree with him, then you are a redneck or you are a philistine or you are tiresome or you are tawdry.

I got an email today from Alison Ryan, who is the mother, if you recall, of Amy who died from a motor vehicle accident which was caused by a drug-affected driver. Her response was not that this is tiresome, tawdry or redneck but was:

I am pleased to hear some funding has been given to RRDT. Hooray!

So the community and those affected are saying hooray, while this government is abusing people and calling them rednecks, calling them philistines, saying they are tiresome, saying they are tawdry. The community, who have seen enough of this government, who have seen enough of its reckless spending, who have seen enough of the cost of living pressures and the failure to deliver hospital services, prison services or policy that is needed like RRDT, have had enough and they have seen from this budget just how out of puff this government is.

MS LE COUTEUR (Molonglo) (5.28): Mr Speaker, this is largely a business as usual budget but it does have some very welcome green initiatives. It does not address the Assembly's commitment to 40 per cent greenhouse gas reduction, peak oil or homelessness, to name but a few of the issues confronting Canberra. I will comment on both the good initiatives and some areas of business as usual as I quickly run through the parts of the budget for which I have portfolio responsibility for the Greens.

Moving first to office accommodation, the Auditor-General in 2009, in her audit of office accommodation, said there was a need for an office building strategy. There is still a need for an office accommodation strategy. This strategy should have a serious triple bottom line consideration of all options, including existing buildings. It should include the impacts of the government's office accommodation decisions on things like transport and greenhouse emissions—things that are going to affect the whole of Canberra. What we are seeing is the government making the decisions and then maybe having a strategy afterwards. That is just silly.

We can see this in the decision in Gungahlin. The Greens support putting government staff in Gungahlin. We have been asking the government to do it for years. At estimates time last year we had the Chief Minister saying no, this was definitely not on the agenda, it was out of the question. It is really a shame the government did not announce this earlier. It would have been good for the development of Gungahlin.

We support the idea of a centralised, co-located ACT government public service, but when we look at the office building proposal we should note that Civic currently has an office vacancy rate of about 18 per cent. If we look outside this building, there are two large office buildings near the Assembly which we would expect to be vacant in the next few years—Nara House, which has Customs, who have gone out to tender for somewhere else, and the commonwealth department of climate change, which we know will be moving to the new Nishi building.

Both of them would seem to probably be large enough for the ACT public service and both could be refurbished to meet the green leasing requirements. Just opposite us is the old ActewAGL building, which I note is being refurbished to 4.5 NatHERS. The government must have known that that building was going to become vacant as they are a half-owner of ActewAGL. It is just really bizarre that they have not taken into account these options. From a life cycle analysis you should take into account the embodied energy, not just the operational energy, of any building.

The ACT government appears to be only looking at operational energy. Even if you only look at operational energy—I speak from experience here—Mr Stanhope said the new office building would reduce greenhouse gas emissions by 79 per cent. My previous employment before being an MLA was for Australian Ethical Investment. We refurbished an existing building and we reduced our greenhouse gas emissions by 75 per cent. You do not have to build new to get a good outcome.

From a financial cost-benefit analysis, almost certainly a refurbishment would be a better option. Also, from the point of view of good housekeeping, it would be better to utilise the existing space rather than see it stay vacant. It would also potentially free up quite an amount of the \$400 million that the government has allocated to spend on other priorities. The PAC report into this went through these issues. I would reiterate again my support for PAC's statements on this.

Looking at planning more generally, the opportunity for Canberra's urban future to be more sustainable depends on our strategic planning and expenditure shifting to centre around transport corridors, rather than building more dormitory suburbs for a car-dependent society. This budget moves a little bit in this direction. Unfortunately, though, spending on unsustainable road-based transport infrastructure continues to far outweigh spending on sustainable and active transport infrastructure. In this budget alone, if we are generous and include every cent spent on buses, ACTION, paths and other such infrastructure, this budget still allocates over 60 per cent more to roads than to more sustainable options.

The budget plans to spend on Majura Parkway which, as my colleague Ms Bresnan has noted, has some significant issues from the point of view of long-term transport sustainability. What we need to do, if we are going to shift to a truly sustainable future, one in which the people of Canberra will be resilient to the impacts of peak oil—which, as Ms Hunter mentioned, has very likely already occurred—we need to shift to sustainable transport. It will also in the short run save the people of Canberra money. If we can organise Canberra so that households do not need two cars—they only need one car—it will save the average household at least \$5,000 a year. That would be great.

There is funding for transport corridors such as Belconnen Way and Northbourne Avenue and for a feasibility study of bus stops on Adelaide Avenue and bus priority measures on the Barton Highway. Adelaide Avenue is a classic example here of a major road which has thousands of people who live and work by it, but they have very poor public transport options available to them because there are no bus stops in Adelaide Avenue. That means that the workers and the residents of these areas have to rely on the winding and inefficient suburban bus routes.

The budget also delivers \$1.5 million to look into infill development opportunities for town and group centres, as well as transport corridors. Hopefully, this is a sign that the government is moving towards a better understanding generally of how infill development should revolve around transport corridors and a shift in the way we build new areas. This is the first budget after the new ACT government structure has been announced. We now have the Sustainable Development Directorate, which includes strategic land use and transport planning, as well as planning and ACTPLA. We very much hope that this will bring more integrated and sustainable planning decisions in the future.

We welcome the \$4.2 million over four years towards more master planning for group centres, transport corridors and rural villages. We called for more dedicated funds for ACTPLA to undertake localised planning in our budget bids this year. Developing master plans around group centres and transport corridors is a key step in terms of making a more sustainable urban form. The master planning process involves extensive community consultation, so we hope that this will lead to a common vision for key areas between local communities and planners.

We are pleased that \$6.667 million has been put aside over four years to improve building quality regulation and towards solving the currently flawed system. There are growing concerns for many ACT residents about the quality of some of our newer buildings and, especially in the past few years, multi-unit developments. Issues include leaking showers in apartments, glass falling from balconies and the like. We need to be certain that our buildings in future will be safe and continue to be useable for decades. So we do need this additional money for ACTPLA to better regulate and audit buildings and certifiers.

We have also been pushing the government over the last few years to improve the robustness of the building energy efficiency ratings system. So we are very pleased that there are funds to properly establish a licensing system for energy assessors and increase the level and standard of auditing. The \$1.35 million will support this. I am sure that, as energy costs rise, residents will be happy to know that they can trust their ratings as they will be audited and meaningful.

Last year I called for appropriate funding to be restored to the urban forest renewal program, in consideration of recommendations made by the commissioner for the environment, by this budget, and to ensure that there were sufficient funds available to replace street trees as necessary. My amendment was passed and I am very glad to see that \$6.2 million has been allocated to this.

The commissioner made it clear in her report that the government needs to refocus its program on the care and maintenance of Canberra's treed landscape. The Greens support the new urban treescape program which will implement the commissioner's recommendations. The Greens welcome the government's announcement that there will finally be street level recycling bins installed in Civic, as outlined in the parliamentary agreement.

Once it is clear that Canberrans do indeed know how to separate their recyclables in public places as well as at home, we look forward to recycling bins being introduced

to other town centres across Canberra over coming years. We hope this issue will be better addressed in the government's final waste strategy, which we also hope will soon be released. Sadly, this is only a trial, but if it is successful as a trial, as it has been in Glebe Park since 2005, then this will be a win for all Civic users.

We are very disappointed to see that there has been no funding for solutions to reduce our organic waste going to landfill. It is doubly frustrating when the trial for recycling bins in Civic shows that the government does in fact understand the benefits of source separation. The organic waste trial at multi-unit developments is a parliamentary agreement item, and we will continue to pursue it. Organic waste makes up almost half of the domestic waste to landfill, so we are keen to see not only is this removed from landfill but also that the final product is able to be put to good use. But what does the budget do? Instead of reducing our organic waste to landfill, we put aside \$7.5 million for more landfills.

Turning to active transport, there are a number of measures which we have called for in relation to active transport that have been funded, including \$1.5 million for walking and cycling infrastructure in Civic and \$400,000 for path lighting improvements over four years. The Greens-ALP parliamentary agreement has delivered improved funding for cycling and footpaths from the first appropriation, and this budget continues this trend.

For too long pedestrians and cyclists have been considered last by city planners, yet the benefits to the community of increasing cycling and walking are threefold: health, economic and environmental. Well-lit paths make it safer and easier for people to actually use the options of walking and riding to work and other places, which means that many families will not need to have a second car. As I said, this can save households a lot of money—more than \$5,000 a year. I was very pleased to see that under Shared Services there was some funding to look at the issues raised by my motion relating to Government 2.0.

With economic development, we are pleased to see that the government has invested further funds into the innovation connect program, as well as recurrent funds for the advisory services support for high growth firms. The new and improved Canberra BusinessPoint now has an improved structure to support a wide variety of businesses through the various phases of establishment and development, which the Greens applaud. The budget also includes some funding for implementation of the education export services strategy to help the ACT build upon our reputation and actuality as a knowledge capital.

This is a start, but what we would like to see is more action from the government to seriously shift the ACT economy towards a clean, green economy. As Ms Hunter said in her speech, the government is seriously falling down in this regard. This is the direction we need to go, but we are not really going there as fast as many other jurisdictions in the world.

Looking at arts, we are pleased to see that there are funds for a marketing fund and a major events strategy. We look forward to some great events in the lead-up to the Canberra centenary, including especially those which showcase our local and

emerging artists. I welcome the infrastructure spending to help the Street Theatre create a performing arts hub in city west, as well as improvements to Strathnairn and the Tuggeranong Arts Centre. The retrofitting of the Fitters Workshop is a welcome step for the visual arts and Megalo, but I note that it will result in the loss of a venue with marvellous classical acoustics and it comes on top of the very recent demolition of McGregor Hall.

I am concerned that there remains an unmet need for arts venues, particularly those that are appropriate for performance events, which are easily accessible by public transport and cheap enough to be used by a wide variety of organisations and artists. I hope that the new scoping study on the creation of arts hubs in the ACT will address these wider questions and provide adequate arts venues in coming decades.

I would also like to welcome the review of environmental noise standards, as recommended by the planning committee. I hope this will create more flexibility for small and medium live music events in Canberra.

On heritage, I welcome the capital works projects which are contained in the budget and I hope to see more progress in clearing the massive backlog of applications. Mr Speaker, I look forward to exploring these issues further in the estimates process.

Question resolved in the affirmative.

Bill agreed to in principle.

Estimates 2011-2012—Select Committee Reference

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (5.43): I move:

That the Appropriation Bill 2011-2012 be referred to the Select Committee on Estimates 2011-2012.

And we all look forward to that, Mr Speaker—me the most out of everybody.

Question resolved in the affirmative.

Papers

Mr Corbell, on behalf of **Mr Stanhope** presented the following papers:

Intergovernmental agreements—

List of agreements signed by the ACT Government—As at May 2011.

Heads of Agreement—National Health Reform, dated 13 February 2011.

Multilateral Implementation Plan for the National Quality Agenda for Early Childhood Education and Care.

National Disability Strategy—2010-2020, dated 13 February 2011.

National Partnership Agreement on Disaster Resilience—Australian Capital Territory Implementation Plan—2010-2011.

National Partnership Agreement to Deliver a Seamless National Economy—Implementation Plan—

Part 1—Deregulation Priorities.

Part 2—Competition Reforms.

National Plan to reduce violence against women and their children, including the first three-year Action Plan.

Ministerial Level negotiations—Schedule—As at May 2011.

Financial Management Act—instrument Paper 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 paper:

Financial Management Act, pursuant to section 14, Instrument directing a transfer of appropriations from the Department of Education and Training to the Canberra Institute of Technology, including a statement of reasons, dated 5 April 2011.

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

Leave granted.

MS GALLAGHER: As required by the Financial Management Act 1996, I table an instrument issued under section 14 of the act. Section 14 of the act, transfer of funds between appropriations, allows for the transfer of funds between appropriations as endorsed by me and another minister. Under the act the direction and a statement of reasons for this instrument must be tabled in the Assembly within three sitting days after it is given.

This instrument transfers appropriation of \$1.144 million from the Department of Education and Training to the Canberra Institute of Technology. The transfer will allow Canberra Institute of Technology to finance the upgrade of the Canberra Raiders headquarters facility. I commend the instrument to the Assembly.

Financial Management Act—instrument Paper 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 paper:

Financial Management Act, pursuant to section 16, Instrument directing a transfer of appropriations from the Department of Territory and Municipal Services to the Chief Minister's Department, including a statement of reasons, dated 12 April 2011.

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

Leave granted.

MS GALLAGHER: As required by the Financial Management Act 1996, I hereby table an instrument issued under section 16 of the act. Subsections 16(1) and (2) of the FMA allow the Treasurer to authorise the transfer of appropriation for a service or a function to another entity following a change in responsibility for that service or function. Section 16(3) of the FMA requires that within three sitting days after that authorisation is given the Treasurer must present a copy of the direction and associated statement of reasons to the Legislative Assembly.

Pursuant to the administrative arrangement, effective 1 July 2010, this instrument facilitates a transfer of \$2.301 million in appropriations associated with the functions and services provided through the heritage unit from the Department of Territory and Municipal Services to the Chief Minister's Department. This transfer is budget neutral, and I commend the instrument to the Assembly.

Financial Management Act—instrument Paper 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 paper:

Financial Management Act, pursuant to section 16B, Instrument authorising the rollover of undisbursed appropriation of the Department of Territory and Municipal Services including a statement of reasons, dated 6 April 2011.

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

Leave granted.

MS GALLAGHER: Section 16B of the Financial Management Act, rollover of undisbursed appropriations, allows for appropriations to be preserved from one financial year to the next, as outlined in instruments signed by me as Treasurer. As required by the act, I table a copy of a recent authorisation made to rollover undisbursed appropriation from 2009-10 to 2010-11. This package includes one instrument signed under section 16B.

The appropriation being rolled over was not dispersed during 2009-10 and is still required in 2010-11 for the completion of the projects identified in the instrument.

The instrument authorises a total of \$23.044 million in appropriation rollovers for the Department of Territory and Municipal Services, including \$1.547 million in net cost of outputs and \$21.497 million of capital injection.

These rollovers have been made as the appropriation clearly relates to projects or funds where commitments have been entered into but the related cash was not required or expended during the year of appropriation, for example, when capital works projects or initiatives for which the timing of delivery has changed, where outstanding contractual or pending claims exist or where there are delays in implementing budgeted recurrent initiatives. The specific details regarding these rollovers are included in the instrument, and I commend the paper to the Assembly.

Financial Management Act—instrument Paper 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 paper:

Financial Management Act, pursuant to section 16B, Instrument authorising the rollover of undisbursed appropriation of the Department of Education and Training including a statement of reasons, dated 12 April 2011.

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

Leave granted.

MS GALLAGHER: Section 16B of the Financial Management Act, rollover of undisbursed appropriations, allows for appropriations to be preserved from one financial year to the next, as outlined in the instrument signed by me as Treasurer. As required by the act, I table a copy of a recent authorisation made to rollover undisbursed appropriation from 2009-10 to 2010-11. This package includes one instrument signed under section 16B. The appropriation being rolled over was not disbursed during 2009-10 and is still required in 2010-11 for the completion of the projects identified in the instrument.

The instrument authorises a total of \$26.839 million in rollovers for the Department of Education and Training, \$1.778 million in net cost of outputs, \$1.058 million in payments on behalf of the territory, and \$24.003 million of departmental capital injection appropriations. These rollovers have been made as the appropriation clearly relates to project funds where commitments have been entered into but the related cash has not yet been required or expended during the year of appropriation, for example, where capital work projects or initiatives for which timing of delivery has changed or been delayed, where outstanding contractual pending claims exist or where there are delays in implementing budgeted recurring initiatives.

The rollover of net cost of outputs include \$1.015 million for national partnership literacy and numeracy, \$283,000 for national partnership youth attainment and

transitions quality on the job workplace learning, \$220,000 for national partnerships improving teacher quality, and \$171,000 for the transitional assistance representing transitional assistance yet to be provided to Urambi primary school, which was scheduled to close at the end of 2010.

The rollover for payments on behalf of the territory includes \$1.058 million for the interest subsidy scheme. The ACT government has made a commitment that all unspent interest subsidy scheme funds will be quarantined within the Department of Education and Training's budget where it will be redirected to non-government schools. Therefore, a rollover of the interest subsidy scheme funds for expenditure in 2010-11 is required.

The capital injection rollover of \$24.003 million is made up of various projects that were delayed in 2009-10. This was partly offset by other projects that have been accelerated. Specific details regarding these rollovers are included in the instrument, and I commend the papers to the Assembly.

Papers

Ms Gallagher presented the following paper:

Public Accounts—Standing Committee—Inquiry—Auditor-General's Report No 8/2010—Delivery of Mental Health Services to Older Persons—Government submission.

Mr Corbell presented the following papers:

Auditor-General's Act—Auditor-General's Report No 9/2010—Follow-up audit—Courts Administration—Government response.

ACT Criminal Justice—Statistical Profile 2011—March quarter.

Work Safety Act—

Pursuant to subsection 209(2)—Work Safety Matters Report—1 July to 31 December 2010.

Pursuant to subsection 210(3)—Work Safety Commissioner's Report—1 July to 31 December 2010.

Independent Competition and Regulatory Commission Act, pursuant to section 24—Independent Competition and Regulatory Commission—Report 2 of 2011—Investigation into the ACT racing industry—Final report, dated April 2011.

Mr Barr presented the following paper:

University of Canberra Act, pursuant to section 36—University of Canberra—Annual Report 2010 (2 volumes), including financial statements, dated April 2011.

Planning and Development Act 2007—schedule of leases Paper and statement by minister

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing): For the information of members, I present the following paper:

Planning and Development Act, pursuant to subsection 242(2)—Schedule of leases granted for the period 1 January to 31 March 2011.

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

Leave granted.

MR BARR: Section 242 of the Planning and Development Act 2007 requires that a statement be tabled in the Legislative Assembly each quarter, outlining the details of leases granted by direct sale. The schedule I have just tabled covers the leases granted for the period 1 January to 31 March 2011. I can advise the Assembly that, in addition, eight single dwelling house leases, two of which were land rent leases, were granted by direct sale in this quarter.

Adjournment

Motion by **Mr Corbell** proposed:

That the Assembly do now adjourn.

Canberra Raiders ACT Brumbies

MR HANSON (Molonglo) (5.54): I would like to make a speech in support of the Raiders and the Brumbies, our local teams who are toiling hard this year but who are doing it hard. I would like to offer my support and I am sure that I will be joined by my colleagues here in the Assembly in that sentiment. I offer our support to Don Furner and to all the team, the management team and the playing team of the Raiders and Tony Rae and all the management team and the playing team of the Brumbies.

Many of us—certainly I have—would have been out to Raiders games and Brumbies games this year and cheered them on, watched some narrow losses and been looking for a win. I am sure that a win is around the corner and the boys will be training hard and will provide that for the community.

I was disappointed to hear that one of the playing team of the Raiders had his car vandalised. I think that that is not an Australian sort of behaviour and it is certainly not what we want to see here in Canberra. I would say to all of the fans, who may be a little frustrated, to stay behind their teams, the Brumbies and the Raiders. To be a true fan, you have got to be there not only in the good times but in the hard times as well. That is what we expect from the supporters of our great football teams.

I would just like to pass on my support to those teams. To the Canberra Raiders squad I pass on my support to Mark Appleton, Glenn Buttriss, Terry Campese—it would be good to see him back—Jarrod Croker, Josh Dugan, Shaun Fensom, Blake Ferguson, Danny Galea, Bronson Harrison, Mark Ioane, Jarrad Kennedy, Tom Learoyd-Lahrs, Drury Low, Nathan Massey, Sam Mataora, Josh McCrone, Josh Miller, David Milne, Mark Nicholls, Matt Orford, Joe Picker, Michael Picker, Reece Robinson, David Shillington, Nick Skinner, James Stuart, Joel Thompson, Trevor Thurling, Dane Tilse, Alan Tongue—captain courageous—Daniel Vidot, Travis Waddell and Brett White.

Similarly, I pass on my support to the Brumbies players, Ben Alexander, Adam Ashley-Cooper, Mitchell Chapman, Mark Chisholm, Huia Edmonds, Rocky Elsom, Colby Faingaa, Francis Fainifo, Matt Giteau, Ben Hand, Stephen Hoiles, Michael Hooper, Peter Kimlin, Christian Lealiifano, Selasi Ma'afu, Pat McCabe, Stephen Moore, Dan Palmer, Patrick Phibbs, Julian Salvi, Andrew Smith, Tyrone Smith, Ed Stubbs, Afusipa Taumoepeau, Matt Toomua, Josh Valentine, Nic White, Jerry Yanuyanutawa and a rookie on contract, Samu Wara.

To all those players, to the coaching staff, good luck. Keep training hard and rest assured that the vast majority of your fans are still with you. Certainly, here in the Legislative Assembly we will all be cheering out at Raiders games and at Brumbies games. For the rest of the year, we wish you every success.

Australian Football League

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (5.58): I am prompted to rise to my feet, just to continue the sporting theme briefly, to remind members that this Saturday, with both the Raiders and the Brumbies playing away games, Manuka oval is hosting two outstanding games of AFL. The Giants will be playing the Swans reserves this Saturday morning as a lead-up to the main fixture, the Swans versus the Western Bulldogs.

It is our big day for AFL in Canberra this year and it sets the scene, of course, for our expanded involvement in the AFL in 2012 with the Giants playing four matches. Of course, it will be a timely opportunity for people to get to see just a little glimpse of what football will be like at Manuka in the years ahead. We welcome the Giants as another addition to our family of national league teams.

Sport

MR SMYTH (Brindabella) (5.59): I will continue the sporting theme as well. I have to say, as a 46-year St Kilda fan, I know about disappointment when your team does not get up. But the great thing about St Kilda fans is that they have stuck with their team through thick and thin. We will continue to do so and—

Mr Barr: We have all got two teams this year: our own team and whoever is playing Collingwood.

MR SMYTH: Whoever is playing Collingwood is a valid point. Indeed, I cast my mind back to 1987, when the Raiders got to their first grand final. We owned a newsagency at that time, a family business. You could not buy yellow, green, white or blue balloons or crepe paper for love nor money in Canberra. The town went wild. Ultimately they won the first of their grand finals. It was a coming of age for Canberra. It was a great time—Mal and the guys carrying the Winfield cup, I think it was then, down Northbourne Avenue in the soft-top Volkswagen—and it really got people thinking about what a great city this was.

As you know, it was built on some of the successes of the Cannons. Then the Brumbies turned up. They are the only Australian side to win the super 12 cup. They are a great outfit. Both sides are worthy of our support.

I think anybody who reflects on some of the inappropriate behaviour that has occurred would say that perhaps those individuals who are responsible for it might like to reflect on their behaviour. When the going gets tough, it is time for the city to get behind their teams. These guys represent us. They train hard. Sometimes it does not work. The fact that we are here probably means none of us could have been professional footballers, and that might be why we are in the Assembly and not out at Bruce stadium on the weekend. A lot of us do not get to that level. Most of us do not get to that level! They train hard. They do not go out there to lose. They go out there to win. If we are adding to their burden, then that is not a good thing.

So it really is time for the city to stand up, for people to get behind their side, to get out there. I go out as often as I can and I just love it. I have got a five-year-old, David, who is in his first year at school. All the kids were discussing what were they going to play. We said to him, “Do you want to play soccer?” And he said, “No, I want to play footy.” We said, “Do you want to play Aussie rules?” He said, “No, I want to play footy.” In the end he decided that he wanted to be a Brumby. So he plays his first game for the Vikings under 7s at Gowrie on Saturday morning at 9.30.

You look at the little ones and the influence that people like the Brumbies squad and the Raiders squad have. Greater Western Sydney hopefully will add to that one day. We have seen various soccer sides here in the territory. Indeed, our hockey sides as well have played at national level and won at national level.

Then if you go to women’s sport and you throw in the Capitals and some of those sides, this is a city that produces great, champion teams. And if the going is getting a bit tough for them, then it is up to the city to get behind them and support them so that in the future, those little ones going out to join the under 5s, the under 6s and the under 7s—and the organisations that back those junior teams, these kids—have something to aspire to. So I will keep taking my boy to the Raiders. I will keep taking my boy to the Brumbies. And I look forward to seeing other people out there supporting their team in their stadium in their city so that we are all better off in the long run.

**National candle lighting ceremony
Domestic violence**

MR RATTENBURY (Molonglo) (6.02): I guess I am going to change the pace somewhat, as I would like to draw the attention of members to an important event that happened last night while we were still here in the chamber. I am talking about the national candle lighting ceremony for people who have lost their lives due to domestic and family violence. The vigil was held in Garema Place at 5.45 pm and was organised by the Domestic Violence Crisis Service and supported by the White Ribbon Foundation, for which I am an ambassador.

Every year in Australia over 100 women, children and men die as a direct result of domestic and family violence, and that is certainly a sobering statistic. The national candle lighting ceremony aims to honour the people who have lost their lives as well as acknowledge the profound immediate and long-term impact these tragic deaths have on those left behind. Vigils have been held around Australia for over 20 years and this is the second year one has been held in the ACT. The vigil was attended by the Commissioner for Young People, Alasdair Roy, the US ambassador, members of the many agencies that support victims of domestic violence, police service persons and of course people who have themselves been victims of domestic violence.

The ceremony involved the lighting of a number of candles to each represent the individual men, women and children who have died as well as the children left behind after a family member has died. It was certainly a very moving tribute and a graphic visual demonstration of the statistics: 66 candles for the lives lost in the ACT since the service began in 1988, either through murder, suicide, overdoses or suspicious and unknown causes.

It is worth noting that the fatality statistics used by the Domestic Violence Crisis Service include only the deaths that the service itself is aware of. There may be many other deaths related to domestic and family violence of course that it is not aware of.

The vast majority of the victims are women and we know from the research that women are most at risk of fatality when they have lived with domestic violence and are thinking of leaving the relationship, have left the relationship, have a new partner or have a matter within the criminal justice system, a domestic violence order or proceedings in the Family Court.

The Greens would also like to take this opportunity, as has already been brought up in the budget debate, to welcome the announcement by the government to establish a new “wraparound service” to target the causes of domestic violence, including an intervention program for men who perpetrate domestic violence. I know this is welcomed by the agencies working in the sector. It is essential, if we are to truly address domestic violence at the core, that we work at addressing behaviours and attitudes around domestic violence, starting with those who are most often the perpetrators—unfortunately, men.

That is why I personally support the work of the White Ribbon Foundation because the model that it uses is a very important one; that is, raising awareness among men

and boys about what they can do to prevent violence against women and to encourage positive role models and respectful relationships with women. The approach that the White Ribbon Foundation takes, to say that men need to take responsibility, talk to our peers, our brothers, our relatives, our colleagues, is a very powerful approach because, as is the case in many areas, the personal comment, having a conversation with someone, is far more powerful than a television ad or a newspaper ad can ever be. That personal bearing witness and challenging is a very important thing that we can all take responsibility for.

I simply want to take the opportunity to draw to the attention of members the vigil, which is now an annual national event, held on the first Wednesday in May, and of course the need to keep the issue of domestic violence in the public arena.

Youth—integrated education and accommodation program

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) (6.06): I think I have got the last call for the night, but I would like to quickly take the opportunity to provide the Assembly with information about the new youth integrated education and accommodation program that is being established here in the ACT, and most commonly known around the country as youth foyer.

The program combines housing and support for young people, with a particular emphasis on education, training and employment opportunities. The program is targeted at young people aged between 16 and 25 that are either homeless or at risk of homelessness. These young people may be students struggling to find accommodation in the current housing environment or young people transitioning out of home care arrangements. The program will accommodate up to 25 young people who will be supported to progress through a personalised development plan which tackles any underlying complex issues they may have but certainly with a focus on education and training and employment.

The service will operate out of the social housing complex in Braddon. I had the privilege of opening that just recently and announcing the support providers, Barnardos Australia, who will work in collaboration with Anglicare. The new program will be overseen by a governance committee which has both community and government representatives on it, including the Rotary Club of Canberra. These strong partnerships will see these young people engaged in the program equipped with life skills to be able more strongly and actively to participate in education, training and employment.

It is anticipated that the youth integrated education and accommodation program will be operational later this month, with applications into the program currently being received and assessed. The key part about this is the on-site support from and linkage to education and employment providers. The program is certainly a welcome boost to the supported housing options for young Canberrans. It will ensure that young people here in Canberra have the best possible chance of breaking the cycle of homelessness,

and increased opportunities for social inclusion and economic participation. There is no better link between education and employment, and that is what this program will deliver.

Question resolved in the affirmative.

The Assembly adjourned at 6.09 pm until Tuesday, 21 June 2011, at 10 am.

Appendix 1

CITIZEN'S RIGHT OF REPLY: RESPONSE BY MR ERNEST HOCKING AGREED TO BY MR ERNEST HOCKING AND THE STANDING COMMITTEE ON ADMINISTRATION AND PROCEDURE PURSUANT TO PARAGRAPH 7(B) OF THE RESOLUTION OF THE ASSEMBLY OF 4 MAY 1995, AS AMENDED 6 MARCH 2008.

I seek redress for comments made in the Legislative Assembly (LA) on 18 November 2010 by the Chief Minister, Mr Jon Stanhope, in relation to a demolition at the Glenloch interchange on Saturday 13 November 2010.

My concern is that the Chief Minister, under privilege, made comments that that were factually incorrect, appeared uninformed in relation to a statement that I made to Mr Tony Gill, Director, ACT Roads, and were made in manner that portrayed me as reckless and irresponsible.

The original incident occurred on the morning of 13 November 2010. The details of my involvement in the incident are documented in a statutory declaration submitted to the Chief Minister, and the Speaker of the LA. In that declaration I set out the events, and the times at which they occurred. I was concerned with the lack of safety and made immediate contact with the ACT Government, via Canberra Connect, and subsequently with Mr Gill, Head of ACT Roads and described the events in detail. The matter was reported, inaccurately, in the Canberra Times on Sunday 14 November. I made contact with the Canberra Times to correct this. The Canberra Times published a further article, using this extra material, on Tuesday 16 November.

The Chief Minister commented on the matter in the LA on 18 November 2010 in response to a question by Mr Doszpot. My identity as the walker/jogger referred to by the Chief Minister was known to the Canberra community as it had been published in the Canberra Times.

My reasons for seeking a right of reply relate to the Chief Minister's response:

1. The Chief Minister's statement appeared to be uninformed of my statement to Mr Gill in which I had expressed concerns about the

safety regime in place at the demolition site. It is reasonable to assume that the Chief Minister had been briefed on my statement.

2. The Chief Minister chose to comment on matters that went beyond the simple reporting of fact, going as far as to apportion blame on me for the failure of safety, even before an inquiry into the incident to establish the facts had taken place.
3. The Chief Minister was selective in his response, not mentioning matters that were reasonably known to him and the ACT Government under the normal ministerial briefing arrangements. These matters were materially relevant to the statements he made. Their inclusion in his response would have questioned the safety arrangements in place at the demolition.
4. The statement made by the Chief Minister appeared to deflect attention from the failure of safety measures at the demolition site, and instead focused on a speculative and personal attack on me. Specifically his comments portray me as someone acting willfully to endanger my own life, and that of others. He expressed a view that:

“MR STANHOPE:I also expect the review to give me advice on whether or not a person who deliberately ignores a request not to enter a zone that he has been advised is dangerous as a result of explosions, demolition activity, should be subject to charge for deliberately entering and remaining—

MR SESELJA: You’re not prejudging the issue, are you, Jon?” [Page 5684 Hansard]

This statement appears to make certain assumptions about what may have been said, and prejudices my behaviour as deliberately ignoring advice, advice which I had already stated to ACT Road had not been provided.

5. The Chief Minister made comments of a personal nature attacking my integrity, common sense, and physical ability, matters on which he had at that time no knowledge, and in a way that simple arithmetic would indicate was impossible.

6. Comments made by the Chief Minister suggest that then sub-contractor was possibly aware of my presence, and chose to proceed with the demolition rather than check the area. The Chief Minister chose not to be critical of this failure on the part of the sub-contractor. This exhibition of bias by the Chief Minister in his statement to the Assembly is not conducive to establishing the true facts of this incident.

At the time of this submission, the results of the inquiry have yet to be provided to me. The Chief Minister stated in his response that the report would be made public.

As a citizen of the ACT I expect a high standard to be maintained on matters of public safety. I expect that all citizens, public servants, and Members of the LA also maintain these high standards. As an experienced lawyer, and former president of the ACT Council for Civil Liberties, I believe that the Chief Minister was aware of the damage that statements made in a public place such as the LA can have on individuals. I am disappointed in the way that he chose to respond to this matter in the Assembly.

Taken together, the comments made in the LA have, I believe, damaged my standing in the ACT. I request that this letter be published in Hansard as a citizen's right of reply to redress the comments made by the Chief Minister in relation to this incident.

Ernest Hocking

Citizen of the Australian Capital Territory

27 April 2011

Answers to questions

Canberra Hospital—moveable magnetic resonance imaging scanner (Question No 1583)

Mr Hanson asked the Minister for Health, upon notice, on 8 March 2011:

What is the total number of instances of use of the moveable magnetic resonance imaging scanner at The Canberra Hospital for (a) October 2010, (b) November 2010, (c) December 2010 and (d) January 2011.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

A total of 21 Surgical procedures have been performed in the Neurosurgery suite at the Canberra Hospital. For the period October 2010 to January 2011, the moveable Magnetic Resonance Imaging scanner was used in two operations, as stated below:

a)	October 2010	0
b)	November 2010	1
c)	December 2010	1
d)	January 2011	0

Mental health—electroconvulsive therapy (Question No 1585)

Ms Bresnan asked the Minister for Health, upon notice, on 9 March 2011:

- (1) What is the evidence that the ACT Government draws on to support the use of electroconvulsive therapy on some consumers, given that clause 3 of the *Draft Charter of Rights for Mental Health Consumers* states that consumers have the right to evidence based health care at all stages of their illness.
- (2) How many people have received electroconvulsive therapy under a electroconvulsive therapy order, pursuant to section 55E of the *Mental Health (Treatment and Care) Act 1994*, in (a) 2006, (b) 2007, (c) 2008, (d) 2009, (e) 2010 and (f) 2011 to date.
- (3) On how many occasions has electroconvulsive therapy, under an electroconvulsive therapy order, been conducted in (a) 2006, (b) 2007, (c) 2008, (d) 2009, (e) 2010 and (f) 2011 to date.
- (4) How many people have received electroconvulsive therapy, that was given with the consumers consent and not because of an electroconvulsive therapy order, in (a) 2006, (b) 2007, (c) 2008, (d) 2009, (e) 2010 and (f) 2011 to date.
- (5) On how many occasions has electroconvulsive therapy been conducted, that was given with the consumers consent and not because of an electroconvulsive therapy order in (a) 2006, (b) 2007, (c) 2008, (d) 2009, (e) 2010 and (f) 2011 to date.
- (6) How many consumers received electroconvulsive therapy on 10 or more occasions (a) under and (b) not under an electroconvulsive therapy order for the period covering 2006 to date.

- (7) What is the most number of occasions that any singular person has received electroconvulsive therapy between 2006 to date.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) Electroconvulsive Therapy (ECT) was introduced into psychiatric practice in 1934. It was initially hailed as a treatment for Schizophrenia, and quickly recognised as an effective treatment for the affective disorders. The use of ECT is supported by the American Psychiatric Association for Major depression, Mania and Schizophrenia and the Royal Australian and New Zealand College of Psychiatrists gives similar support. ECT has been extensively researched and its effectiveness has been supported by reviews and meta analyses covering the last 20 years.

- (2) The number of people who received electroconvulsive therapy under a electroconvulsive therapy order, pursuant to section 55E of the *Mental Health (Treatment and Care) Act 1994* are:

2006-2007	- 25 people
2007-2008	- 17 people
2008-2009	- 15 people
2009-2010	- 11 people
2010-2011	- 6 people to date

These figures do not include Emergency ECT orders.

- (3) The number of occasions that electroconvulsive therapy has been conducted under an electroconvulsive therapy order is:

(a)	July 2006 - June 2007	Data not available.
(b)	July 2007 - June 2008	Data not available.
(c)	July 2008 - June 2009	160
(d)	July 2009 - June 2010	142
(e)	July 2010 - June 2011	38

- (4) The number of people who have received electroconvulsive therapy, that was given with the consumer's consent and not because of an electroconvulsive therapy order, is:

(a)	July 2006 - June 2007	Data not available.
(b)	July 2007 - June 2008	Data not available.
(c)	July 2008 - June 2009	208
(d)	July 2009 - June 2010	121
(e)	July 2010 - June 2011	148

- (5) The number of occasions that electroconvulsive therapy has been conducted, and given with the consumer's consent and not because of an electroconvulsive therapy order, is:

(a)	July 2006 - June 2007	Data not available.
(b)	July 2007 - June 2008	Data not available.
(c)	July 2008 - June 2009	17
(d)	July 2009 - June 2010	12
(e)	July 2010 - June 2011	12

- (6) The number of consumers who received electroconvulsive therapy on 10 or more occasions (a) under and (b) not under an electroconvulsive therapy order for the period covering 2006 to date is a cumulative total of:

(a)	More than 10 Involuntary	18
(b)	More than 10 Voluntary	27

- (7) The most number of occasions that any singular person has received electroconvulsive therapy between 2006 to date is a cumulative total of 138 voluntary treatments.

Animal welfare (Question No 1587)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 10 March 2011:

- (1) How many (a) pet retail operators and (b) individuals in the ACT have been prosecuted for breaches of the *Animal Welfare Act 1992* in (i) 2008, (ii) 2009, (iii) 2010 and (iv) 2011 to date and what offences were committed.
- (2) What penalties were imposed for each prosecution referred to in part (1).

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

- (1) Under the *Animal Welfare Act 1992*, there were:
 - i. 5 prosecutions in 2008;
 - ii. 3 prosecutions in 2009;
 - iii. 1 prosecution still before the court in 2010; and
 - iv. Nil prosecutions in 2011.
 None of the above were prosecutions relating to pet retail operators.
- (2) Penalties included fines and a good behaviour bond.

Waste—Glebe Park recycling bins (Question No 1591)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 10 March 2011:

- (1) What recycling results are being achieved by the recycling bins provided in Glebe Park, including the amount of (a) waste being recovered and (b) contamination.
- (2) Can the Minister provide a breakdown of the cost of providing the Glebe Park recycling bins.
- (3) How often are the recycling bins in Glebe Park collected.
- (4) Where and how are the materials from the Glebe Park bins processed.
- (5) Do any of the loads from Glebe Park bins go to landfill.

- (6) If there were additional bins in the vicinity of Glebe Park, could the service vehicles collect these while on their Glebe Park route, would there be an additional cost and what is the cost expected to be.
- (7) Can the Minister provide answer to parts (1) to (5) in relation to the recycling bins provided for the multicultural festival.

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

- (1) (a) 95% of waste is recycled. From the nine recycling bins in Glebe Park, approximately 480 litres (equivalent to two full bins) of recyclable material is recovered per collection.
- (b) Less than 5% is contaminated.
- (2) The cost of providing nine recycling bins in Glebe Park is \$712 per month, plus an estimated \$10,000 per annum to repair vandalism to the bin shrouds.
- (3) The recycling bins in Glebe Park are emptied twice per week.
- (4) The recycle bins are emptied by the waste provider 'Wasteaway' and are taken to the Material Recovery Facility at Hume for processing.
- (5) No.
- (6) Yes, it would be feasible for the waste collection contractor servicing Glebe Park on behalf of the Department of Territory and Municipal Services to collect additional bins in the vicinity. Subject to a quotation and service agreement, it is anticipated there would be an additional cost of approximately \$12 per bin per collection.
- (7) (1) Recycling results for the Multicultural festival showed that the recycling bins were cross contaminated with food waste from the large number of attendees and could not be recycled.
- (2) The cost of supplying 50 public recycling bins (240 litre wheelie bins) for the Multicultural Festival totalled \$500. This excludes the cost of emptying. Two 15 cubic metre garbage hoppers were supplied for store holder recycling at a cost of \$3,000.
- (3) The recycling bins provided during the multicultural festival were collected and emptied constantly during the event. The stall holder hoppers were emptied once at the end of the festival.
- (4) The materials from the Multicultural Festival public bins were unable to be recycled due to high levels of contamination. The stall holder garbage hoppers were emptied once by the waste provider at the Mugga Lane Recycling Facility.
- (5) The public recycling bins from the Multicultural Festival went to landfill due to contamination.

**Waste—computer equipment
(Question No 1593)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 10 March 2011:

- (1) In relation to the disposal of computing equipment by InTACT, what criteria does the Government use to determine when equipment should be disposed of and have the criteria been the same for the past five years; if not, can the Minister list the previous criteria.
- (2) What criteria does the Government use to determine how equipment should be disposed of and have the criteria been the same for the past five years; if not, can the Minister list previous criteria.
- (3) How does the Government ensure that it is getting the maximum value from disposal of surplus equipment and does it consider environmental and social factors as well as maximum financial return.
- (4) Is the process referred to in part (3) compliant with National Audit Office guidelines.
- (5) What method/s does the Government use to dispose of unwanted computer equipment, for example, recycled, sold and/or donated to charity and (a) how does the Government decide which method to use in a particular instance and (b) does it normally ask for tenders for disposal of equipment; if so, how is a tenderer selected.
- (6) Can the Minister list, for 2006-07 to 2009-10, the (a) number of items of computer equipment disposed of by type, for example, monitor, personal computer, server, laptop, and printer, (b) financial return to the Government from the disposal, (c) average age and original price of the equipment, (d) what method was used for the disposal and (e) which companies were used for the disposal.

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

- (1) Computing equipment is disposed of when the asset has reached the end of its useful life, and the asset no longer meets technology requirements. These criteria have been the same for the last five years.
- (2) Environmental impact and economic return have been used since December 2009 as the relevant criteria. Prior to this, the ACT Government rented the majority of its computing equipment. Under the terms of the rental agreement, all equipment was required to be returned to the owner for disposal at the end of the rental period.
- (3) Except for a limited amount of end-of-life equipment, which is donated at no cost to not-for-profit organisations, the ACT Government's disposal activities are managed by a contracted disposal broker selected through a public tender process. The disposal broker provides ACT Government disposal listings to up to 30 accredited resellers, which ensures the best financial return to the Territory. If the equipment cannot be resold, the broker will dispose of the equipment through an ISO14001 accredited recycling company. This approach results in the reuse or recycling of equipment.
- (4) Yes.

(5) See answer to Question 3.

(6) (a) The number of items of computer equipment disposed of by type is detailed in Table A:

Table A

Year	Monitor	MFD	Laptop	Printer	Server	Desktop	Total
2006-2007	2,503	284	271	597	47	2,225	5,927
2007-2008	968	218	202	396	213	756	2,753
2008-2009	2,810	292	416	818	131	2,446	6,913
2009-2010	3,239	152	186	273	209	3,417	7,476
Grand Total	9,520	946	1,075	2,084	600	8,844	23,069

(b) The financial return to the Government from disposals is detailed in Table B:

Table B

Financial Year	Total Amount
2006-2007	\$90,000.00
2007-2008	\$48,000.00
2008-2009	\$15,000.00
2009-2010	\$585,354.00

(c) (i) The original price of the equipment is detailed in Table C:

Table C

Year	Monitor	MFD	Laptop	Printer	Server	Desktop	Total
2006-2007	\$1,086,078.51	\$1,448,249.44	\$769,379.12	\$1,210,679.67	\$754,653.77	\$3,477,464.00	\$8,746,504.51
2007-2008	\$408,628.31	\$1,004,925.49	\$587,663.67	\$832,211.17	\$1,950,750.60	\$852,185.06	\$5,636,364.30
2008-2009	\$828,287.07	\$1,018,328.29	\$836,700.21	\$1,029,997.37	\$1,447,303.00	\$1,243,538.49	\$6,404,154.43
2009-2010	\$1,121,667.75	\$849,251.46	\$409,937.19	\$538,609.25	\$1,792,186.21	\$2,884,559.09	\$7,596,210.95
Grand Total	\$3,444,661.64	\$4,320,754.68	\$2,603,680.19	\$3,611,497.46	\$5,944,893.58	\$8,457,746.64	\$28,383,234.19

(ii) The average age of the equipment specified in Table C is as follows:

Monitor	4 years
MFD	5 years
Laptop	3 years
Printer	3 years
Server	4 years
Desktop	4 years

(d) See answer to Question 3.

(e) Advance Datacom

All Bids

Cisco Exchange

Macquarie Technology Services

PFM

Ricoh Australia

Tokyo Trading Global.

**Health—kava
(Question No 1602)**

Ms Bresnan asked the Minister for Health, upon notice, on 30 March 2011:

- (1) Is the drinking of Kava, where it has been produced via cold water extraction of the peeled root, for cultural purposes in the ACT currently illegal; if so, what are the penalty units for not adhering to this law.
- (2) Is the (a) supply and (b) sale of Kava, where it has been produced via cold water extraction of the peeled root, in the ACT currently illegal; if so, what are the penalty units for not adhering to these laws.
- (3) What specific clauses, of which regulations and legislation, gives effect to the rulings referred to in parts (1) and (2).
- (4) Does the Australia New Zealand Food Standards Code on Kava, Standard 2.6.3, apply in the ACT, to permit for the sale of Kava where it is produced via cold water extraction of the peeled root; if not, why not.
- (5) What specific evidence has the ACT Government relied on to conclude that the drinking of Kava has adverse health effects on Pacific Islander people who use it for cultural purposes.
- (6) What evidence does the ACT Government have to show that the drinking of Kava in the form referred to in part (1) has more severe health impacts than standard alcohols such as beer and wine and what is the impact in comparison to stronger alcohols such as spirits.
- (7) What formal consultation and public dialogue did the ACT Government conduct with Pacific Island communities in the ACT before the ACT Government adopted Federal positions on Kava in (a) 2004, (b) 2008 and (c) 2009.
- (8) What formal consultation and public dialogue did the ACT Government conduct with Pacific Island communities in the ACT on Kava in the lead up to the 2011 Multicultural Festival.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) The drinking of kava root extracts is not illegal in the ACT, however restrictions are in force to the extent that kava is listed as a prescription only medicine, and as such needs to be used in accordance with a valid prescription. The administration of a prescription only medicine to oneself without a prescription is an offence attracting a maximum penalty of 100 penalty units and/or imprisonment for 1 year (s37 *MPTG Act*).
- (2) The supply and sale of kava root extracts is not illegal in the ACT, however as in question 1, restrictions are in force such that supply or sale of kava needs to be in accordance with a valid prescription. This restriction is irrespective of whether the kava is supplied for sale. The supply (including sale) of a prescription only medicine by a person who is not authorised to supply the medicine is an offence attracting a maximum penalty of 500 penalty units and/or imprisonment for 5 years (s26 *MPTG Act*).

- (3) The *Medicines, Poisons and Therapeutic Goods Act 2008 (MPTG Act)* governs all medicine related dealings in the ACT. Specific sections citing these offences are mentioned above.

Kava is listed as a prescription only medicine under the Standard for Uniform Scheduling of Medicines and Poisons (SUSMP), which is adopted by reference under the *MPTG Act*. The SUSMP and the listing for kava therein are enacted in all other Australian States and Territories in their respective medicines legislation.

- (4) The above standard is given effect within the ACT, and lists restrictions on the supply and labelling of kava as a food product. However, the standard also states that it should be considered in conjunction with other State and Territory restrictions and further that 'Where kava is permitted for supply, the requirements in this Standard complement those restrictions.'

Therefore, as cold water extracts of kava root are only permitted for supply by way of prescription under medicines law, the Australia and New Zealand Food Standards Code does not apply in this setting.

- (5) The decision to reschedule kava to a prescription only medicine was not made by the ACT Government. The ACT Government adopts medicines scheduling decisions in Territory legislation by way of the SUSMP, as do all other States and Territories. Scheduling decisions, including the decision to list kava as prescription only, are made by an independent statutory committee under the Therapeutic Goods Administration. ACT Health has representation on this committee, as do all other jurisdictions.

Summaries of all rescheduling decisions are published on the TGA website under Record of Reasons. The decision to list kava as a prescription only medicine was based on reports of abuse of kava mainly in Northern Territory communities, and also evidence of liver toxicity and death associated with kava use. The decision to reschedule was made on balance against risk to broader public health, and not due to adverse health effects on Pacific Islander people who use it for cultural purposes.

- (6) The ACT Government has not sought comparative evidence on the health impacts of alcohol vs kava. However, importantly, this type of evidence would have little impact on kava legislation as the laws governing the supply of alcohol and medicines are separate. Furthermore, the comparative risk of a medicine against alcohol consumption is not a standard criteria against which medicines are scheduled. Rather, scheduling decisions are based upon the severity and risk of toxicity of a substance, its use and potential for abuse.
- (7) The issue of kava regulation has been a matter of national concern for many years and opportunities for consultation and dialogue with the Pacific Islands communities have been afforded at the Commonwealth level.

In specific relation to the scheduling of kava, the TGA calls for public comment on rescheduling submissions and publish decisions on their website as part of usual process. I understand that Pacific Island representatives did comment on the proposed rescheduling at the time.

In light of this, the ACT Government did not engage in further consultation or dialogue with the Pacific Islands communities prior to the Commonwealth scheduling changes.

- (8) The organisers of the National Multicultural Festival were first advised of the restrictions on kava supply by way of a formal letter from the Health Protection Service in February 2010 following the 2010 festival. It appears that this advice was not heeded and further advice was again sent in January 2011 prior to the 2011 festival.

A request from a peak Pacific Island representative for Ministerial exemption to this law was made prior to the 2011 festival, however this was not approved.

Following the 2011 festival, dialogue has ensued between senior representatives from ACT Health, the Office of Multicultural, Aboriginal and Torres Strait Islander Affairs (OMATSIA) and the Pacific Islands community. A joint statement from ACT Health and OMATSIA will be issued to the community shortly. In addition, a joint forum will be held in May whereby community leaders will be invited to voice their concerns and comment on recommendations for further action.

Health—nurse walk-in centres (Question No 1604)

Mr Hanson asked the Minister for Health, upon notice, on 30 March 2011:

- (1) What is the total number of full-time equivalent (FTE) nursing staff employed at the Nurse Walk-In Centre.
- (2) What is the total number of FTE nursing staff employed at the Nurse Walk-In Centre by category including practice nurses, nurse practitioners, registered nurses and enrolled nurses.
- (3) What is the total number of FTE nursing staff for each shift working at the Nurse Walk-In Centre during its opening hours.
- (4) How many shifts per day are there for nursing staff at the Nurse Walk-In Centre.
- (5) What is the start and end times for each of these shifts.
- (6) What is the average number of non-nursing staff working at the Nurse Walk-In Centre during its opening hours.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

1. The Walk In Centre has 10.04FTE nursing staff employed.
2. There is 1 FTE Assistant Director of Nursing, 1 FTE Nurse Practitioner, and 8.04 FTE Advanced Practice Nurses. There are no practice nurses or enrolled nurses employed in the Walk-in Centre.
3. There are 3 nursing staff rostered on shifts that commence in the morning and 3 nursing staff rostered on shifts that commence at or after midday and that continue into the evening.
4. There are 6 shifts per day.

5. The Walk In Centre operates a seven day a week service from 7:00am to 11:00pm. The shifts start and finish times are staggered across the opening hours.

- Two nurses work from 7:00am – 3:30pm
- One nurse works from 9:00am – 5:30pm
- One nurse works from 12noon – 8:30pm
- Two nurses work from 3:00pm – 11:30pm

6. There are two reception staff rostered to work each day from 7am to 11am seven days a week to cover the opening hours from a pool of 4 staff, 2 full time and 2 part time.

Alcohol—liquor licences (Question No 1605)

Mr Rattenbury asked the Attorney-General, upon notice, on 31 March 2011:

- (1) In relation to question on notice 1380 and the apparent internal inaccuracy contained in answers to parts 5(b)(i), 6(a) and 6(b), can the Attorney-General provide the number of liquor licences in each category by completing the column entitled *Number of licences* in the tables below.

Table A—On, club, general and special licences

Licence characteristics	Closing time	Number of licences
Total occupancy loading of ≤ 80 people with an annual liquor purchase of ≤ \$100 000	Midnight	
	4 am	
	5 am	
Total occupancy loading of ≤ 80 people with an annual liquor purchase of > \$100 000	Midnight	
	4 am	
	5 am	
Total occupancy loading of 81-150 people with an annual liquor purchase of ≤ \$100 000	Midnight	
	2 am	
	4 am	
Total occupancy loading of 81-150 people with an annual liquor purchase of > \$100 000	Midnight	
	2 am	
	4 am	
Total occupancy loading of > 150 people with an annual liquor purchase ≤ \$100 000	Midnight	
	2 am	
	4 am	
Total occupancy loading > 150 people with an annual liquor purchase > \$100 000	Midnight	
	2 am	
	4 am	
	5 am	

Table B—Off licences

Annual liquor purchase	Number of licences
≤ \$100 000	
\$100 001 – \$500 000	
\$500 001 – \$1 million	
\$1 million – \$2 Million	
\$2 million – \$3 million	
\$3 million – \$4 million	
\$4 million – \$5 million	
\$5 million – \$6 million	
\$6 million – \$7 million	
\$7 million – \$8 million	
\$8 million – \$9 million	
\$9 million – \$10 million	
\$10 million – \$11 million	
> \$11 million	

- (2) In relation to the review of the *Liquor (Fees) Determination 2010 (No.1)* agreed to by the Assembly on 18 November 2010 and due to report no later than 1 October 2011
- (a) what timeline will the review follow, (b) will all liquor licensees be consulted; if so, how will they be consulted and how long will they be given to provide input; if not, why not and (c) how will the Liquor Advisory Board be involved in the review

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

- (1) The answers to questions 5 and 6 in QON 1380 were not incorrect. Rather the variance between them relates to the fact that occupancy loading is not necessarily specified by the applicant or correct at the time an application is made – hence the answer to question 5 shows that the number of applications exceeds the number given in the answer to question 6 for cases where an occupancy loading has been formally determined. I had alluded to this in the comment I provided in my answer to question 6 at the time.

Occupancy loading is a matter that is determined on assessment by the Office of Regulatory Services and the ACT Fire Brigade. Section 252 of the *Liquor Act 2010* provides the Commissioner for Fair Trading with up to six months to make a decision on the liquor licence applications received under section 251 of the Act. While more than three quarters of the applications have been determined at this stage, any attempt to quantify the total number of applications by reference to the discrete occupancy loading classifications specified will be incomplete and subject to variation during the transitional period. Likewise full data of the type requested in relation to off licenses will only crystallize once all applications have been processed at the end of the transitional period. This period will come to a close at the end of May 2011 when more complete data will be available.

- (2) (a) The review process must be completed by 1 October 2011. The review will examine six months of liquor data from December 2010 to end of May 2011 provided by a government inter-departmental committee, which will meet in April, May and June 2011.

I will host a round table meeting in May 2011 with key industry stakeholders to discuss views on licensing fees and a further meeting in June to share preliminary outcomes of the review. Public submissions will also be taken.

- (b) Yes. All liquor licensees have been contacted in writing and invited to make submissions to the review. Licensees have until 27 May 2011 to lodge their submission.
- (c) The Liquor Advisory Board will be closely involved in the review. I recently met with the Board and my department has written inviting the Board to add any other issues it would like the review to consider. I will be reporting back to the Board on submissions received and providing feedback on issues raised in the submissions.

Children— therapeutic protection facility (Question No 1606)

Ms Hunter asked the Minister for Children and Young People, upon notice, on 5 April 2011:

- (1) In relation to the Therapeutic Protection Orders under the *Children and Young People Act 2008* - Therapeutic Protection Orders, has the department engaged in a fixed price tender to procure a therapeutic protection place for the sum of \$586 000.
- (2) What was the outcome of this fixed price tender process.
- (3) How many therapeutic beds and support services were to be provided by the \$586 000 fixed price.
- (4) What is the future of this tendering process and when does the Minister expect a therapeutic protection facility to be available for use in the ACT.

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

- 1. The Department undertook a fixed price tender to procure an operating entity for the therapeutic protection place for a period of three years for the sum of \$565,142.60 per year not \$586,000.
- 2. The Department made a decision to discontinue the tender process, so that further refinement to the services model could occur, and subsequently advised tenderers of its decision.
- 3. The tender process, as described in the answer to Question 1, was to identify an entity to operate a facility with capacity for up to two children and/or young people and provide appropriate support services.
- 4. The cohort of young people who may be placed on a Therapeutic Protection Order will have very complex needs, including engaging in conduct that poses a significant risk of harm to themselves or others and there is no less intrusive alternative placement to mitigate the harm.

The *Children and Young People Act 2008* sets out strict conditions governing the use of Therapeutic Protection. To this end, a Draft Therapeutic Service Model has been developed by the Department which outlines the expectations about how Therapeutic Protection will be administered in the ACT. The evidence base for the model has been drawn from trauma and attachment research. The Department is currently working to finalise this draft model with the relevant experts.

The Therapeutic Protection facility will be available for use following the finalisation of the service model, the identification of a suitable entity to operate the facility (through a tender process) and the essential training of staff. The Department anticipates the facility could be operational by the end of 2011, however, this will be dependent on a suitable entity being identified through a procurement process

Youth—housing assistance (Question No 1611)

Ms Hunter asked the Minister for Disability, Housing and Community Services, upon notice, on 7 April 2011:

- (1) Given that in 2011 (a) the ACT Government will establish a new Foyer-like model to the ACT, assisting young people who are homeless to stabilise their lives and transition to independence, (b) that a holistic approach is used, offering access to affordable housing, support, education, training, and job opportunities and (c) that the timeframes included in the Social Housing and Homelessness Concept Paper for the Foyer Model outline that the implementation phase should have begun on 1 February through to 30 June 2011, why has there been a delay in the implementation of the Foyer Model.
- (2) Has the building been sourced.
- (3) Where is the building located.
- (4) Have organisations who have submitted tenders been notified of the delays and given a revised and accurate timeframe.
- (5) Can the Minister provide an accurate timeline for the implementation of the Foyer Model.

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

- 1) The tender process for the Youth Integrated Education and Accommodation Program closed on 1 February 2011. The program has been delayed because wet weather impacted on the construction of the accommodation complex.

The Youth Integrated Education and Accommodation Program is expected to be operational within the timeframe specified in the *Youth Foyer Proposed Model Paper*.

- 2) 15 Units across two blocks have been identified as the site for the Youth Integrated Education and Accommodation Service (Youth Foyer) in the new housing development located at Block 1 Section 13 Braddon.

- 3) See answer to question (2)
 - 4) Organisations that submitted tenders have not been advised of any delays because the Youth Integrated Education and Accommodation Program is expected to be implemented by the end of June 2011 as planned.
 - 5) The preferred provider was announced at the official opening of the new development on 21 April 2011.
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**Youth—services
(Question No 1612)**

Ms Hunter asked the Minister for Disability, Housing and Community Services, upon notice, on 7 April 2011:

- (1) In relation to the *Towards a diversionary framework for the ACT – Discussion Paper* and noting that the consultation period for this discussion paper will close on 15 April 2011, can the Minister provide an accurate timeline for the outcomes of the Towards a Diversionary Framework for the ACT.
- (2) How will the feedback and subsequent development of a diversionary framework be linked to the (a) Young People's Plan 2009 - 2014, (b) Modernising Youth Housing and Homelessness Services in the ACT, (c) Youth and Family Service and Delivery Framework, (d) outcomes of the internal Bimberi Review project and (e) Human Rights Commission Review of the Bimberi Youth Justice Centre and broader youth justice system.

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

- (1) The Department of Disability, Housing and Community Services (the Department) expects to receive a report on the consultation on the *Towards a Diversionary Framework for the ACT* Discussion Paper (the Discussion Paper) in May 2011. I anticipate that I will then be briefed on the final report in late May 2011. The department will also provide a copy of the final report to the Human Rights Commission.
 - (2) I and my Department are aware of points of intersection and overlap between issues considered in the Discussion Paper, and the documents and processes listed by Ms Hunter. The Discussion Paper outcomes and subsequent policy development will feed into and be informed by the other documents and processes listed in Ms Hunter's question.
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**Youth—services
(Question No 1613)**

Ms Hunter asked the Minister for Children and Young People, upon notice, on 7 April 2011:

- (1) In relation to the *Youth and Family Service and Delivery Framework*, what plan is being developed to address the gap in service that will develop upon introduction of the framework for young people aged 12 to 25 who are at risk.
- (2) Can the Minister confirm that the community managed Central Intake Service funded for \$2.68 million will be located with the Department Disability, Housing and Community Services at 11 Moore Street.
- (3) What other community managed services are located at 11 Moore Street.
- (4) What strategies has the Minister put in place to assist services who may not be able to retain staff during the extension of Service Funding Agreements until 2012.
- (5) How does this framework link with the (a) *Young People's Plan 2009-2014*, (b) Modernising Youth Housing and Homelessness Services in the ACT, (c) *Towards a Diversionary Framework- Discussion Paper*, (d) the outcomes of the internal Bimberi Review project and (e) Human Rights Commission Review of the Bimberi Youth Justice Centre and broader youth justice system.
- (6) Does this framework totally exclude 18 to 25 year olds, yet the *ACT Young People's Plan* guarantees their right to support services; if so, how will this gap in service delivery be managed.
- (7) Considering the ongoing overseas recruitment of care and protection staff, is the Minister concerned that this framework based on rejecting youth work practice and replacing it with social work practice will be problematic due to a shortage of social workers.
- (8) What is the Minister's commitment that youth workers and youth work practice, practice that is recognised nationally and internationally, will continue to be recognised, purchased and supported in the ACT.

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

- (1) The procurement of youth and family support services has not been finalised. The Youth and Family Support Program represents a small percentage of services available to 18 to 25 year olds in the ACT community who are vulnerable and in need. Any gaps or duplication in the continuum of services available to this age group will continue to be identified, prioritised and an appropriate response formed within the context of a whole of Government (Australian and ACT) and community shared responsibility.
- (2) There are no current plans to locate the Information, Engagement and Referral Service at 11 Moore Street. The location of the centralised Information, Engagement and Coordination Service will be determined in negotiations with the preferred provider identified through the current procurement activity.
- (3) No community organisations, or the services they provide, are located at 11 Moore Street, Canberra.
- (4) With respect for the independence of community organisations as required through The Social Compact, the Government has not developed strategies for the retention of staff in community organisations for the extension of current Service Funding

Agreements. The Department's contract managers will provide assistance to any organisation that identifies this as an issue and requires assistance in developing proactive strategies to address this risk.

- (5) The Service Delivery Framework for the youth and family support program aligns with each of the other pieces of work referred to through the key principles that underpin it and through its focus on improving outcomes for vulnerable young people. The Framework has been developed to be flexible and responsive to the changing service environment, emerging evidence base and needs within the target population. By adopting an outcomes based funding arrangement the services funded through the Framework will have the capacity to be flexible and responsive in keeping with changes to the Framework. Work is occurring to ensure that the Framework is aligned with related projects impacting on the same target population. As the identified projects are progressed or recommendations are known, services funded through the Framework and the Framework itself will be reviewed to determine how they can contribute to the achievement of recommendations and/or policy directions.

The Framework has been informed by the consultations held with young people in the development of the ACT Young People's Plan 2009-2014. It has adopted the term 'vulnerable' and moved away from 'risk' as requested by the young people. It incorporates a focus on their being assisted at key transitional points, including their transition to independent living, from care and accessing the adult services system. It provides an increased focus on providing supports to their families as well as the young person and seeks to improve accessibility through a central contact point, and extended and flexible hours of service.

- (6) No, the Framework does not totally exclude 18-25 year olds.
- (7) The Framework is focussed on achieving the best outcomes for the most vulnerable young people in the ACT. It does not support one theoretical practice framework over another nor dictate the employment of people with specific qualifications. The only service activities that can only be provided by staff with specified professional qualifications where youth work alone would not be sufficient is 'Therapeutic Services' and the inclusion of additional qualifications post the release of the draft was in response to requests from the youth sector. Based on the complexity of needs of the target group and range of services required under the Framework, it would be expected that the staff employed to provide these services will come from a range of both professional and experiential backgrounds as currently exists within the Youth Services Program and the Family Support Program.
- (8) The ACT Government is committed to providing high quality services to vulnerable and in need young people in the ACT community, either directly or through our community partners. The Service Delivery Framework for services funded through the Youth and Family Support Program is one example of this and seeks to achieve best practice when working with young people that is consistent with best practice in Youth Work Practice, including through the employment of Youth Workers.

**Alexander Maconochie Centre—detainee payments
(Question No 1614)**

Mr Hanson asked the Attorney-General, upon notice, on 7 April 2011:

- (1) What are the current remuneration rates for detainees at the Alexander Maconochie Centre, based on category and level.
- (2) What was the total amount budgeted for detainee payments in the 2010-11 financial year.

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

- (1) The current hourly remuneration rates, based on category and level, are as follows:

Category	Amount	Notes
Non worker	Nil	Sentenced prisoners in this category have declared they do not wish to work (or have been dismissed). This classification is reviewed on a weekly basis
Unemployment	\$0.50	Sentenced prisoners prepared to work but no work available and non-working remand prisoners
Level 1	\$0.83	Lowest class of work or level of responsibility
Level 2	\$1.17	Intermediate class of work or level of responsibility
Level 3	\$1.67	Highest class of work or level of responsibility

- (2) In 2010-11, the amount budgeted for detainee payments was \$300,000.

Health—home and community care program (Question No 1615)

Ms Bresnan asked the Minister for Health, upon notice, on 7 April 2011:

- (1) What are the proposed changes for the Home and Community Care (HACC) Program and what aspects of the proposal have been finalised.
- (2) Is the Minister able to say what responsibilities will sit with Australian Government and what will sit with the ACT Government after the changes; if so, what are they.
- (3) How is funding for the ACT component of HACC to be affected and is the Minister aware of what the Australian Government and ACT Government funding figures for HACC will look like before and after the changes; if so, what will they be.
- (4) How will HACC recipients be affected and managed through this process of change.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) As part of the national health reforms there is a need for a HACC "transition year" for 2011-12. This is prior to the Federal Government assuming full funding and program responsibility for basic community care services currently provided under the HACC program for people 65 years and over (50 years and over for Indigenous Australians) from 1 July 2012. Current ACT HACC Service Funding Agreements were due to expire on 30 June 2011, but these have been extended to 30 June 2012 for the HACC transition year.

- (2) From 1 July 2012 the Federal Government will assume full funding and program responsibility for basic community care services currently provided under the HACC program for people 65 years and over (50 years and over for Indigenous Australians) and the ACT Government will assume full funding and program responsibility for basic community care services currently provided under the HACC program for people under 65 years (under 50 years for Indigenous Australians).
 - (3) Funding figures for the age and disability split are still being considered by the Heads of Treasury. Funding for 2011-12 in the transition year, has been based on a notional funding split between the ACT and the Commonwealth. The full amount of HACC funding will be available in this transition year. The funding split from 1 July 2012 is currently under review and will be determined by costing all HACC services by age. When this review has been completed, the funding will be reviewed for 2012-13 budgets. The ACT will fund HACC services for all clients under the age of 65 years and Aboriginal and Torres Strait Islander people under 50 years of age.
 - (4) The Department of Health and Ageing is working closely with States and Territories to ensure a seamless transition for all HACC clients. All existing HACC service providers will continue to deliver services to their clients under the current funding agreements with ACT Health. No change is anticipated in the transition year. The Commonwealth has also assured service providers that services will not substantially change prior to 2015.
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Housing ACT—energy efficiency program (Question No 1616)

Ms Bresnan asked the Minister for Disability, Housing and Community Services, upon notice, on 7 April 2011:

- (1) In relation to Housing ACT properties and energy efficiency and questions on notice Nos 442 and 1586, did the Minister state in the answer to question on notice No 442 that Housing ACT has an action plan to roll out its energy efficiency program which will see all properties be more energy efficient by 2016-17; if so, what key goals and targets, other than more energy efficient, does Housing ACT have for its properties as a result of this program.
- (2) Is there any aim to have a minimum star rating for all properties; if so, what is that aim.
- (3) Can the Minister provide data which outlines the nature of improvements that have been undertaken under this program for each house since its commencement, and the expected improvements in efficiency ratings that were gained by those improvements, if known.

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

- (1) The key goals of the program are:
 - to achieve a reduction in the energy use and energy costs for public housing tenants while maintaining acceptably comfortable living conditions;
 - to achieve an increase in thermal comfort for public housing tenants with little or no increase in greenhouse emissions or electricity and gas costs; and

- to achieve a reduction in greenhouse gas emissions associated with household energy consumption.

The key targets of the program are:

- to provide ceiling insulation and draught sealing (where possible) to all public housing properties built prior to 2002 by 2016-17;
- to provide wall insulation to all class 1 separate properties with 4 or more bedrooms built prior to 2002;
- to replace electric resistive hot water systems upon failure with highly energy efficient hot water systems (such as solar and 5 star gas); and
- to provide pelmets to the windows and sliding doors of bedrooms and lounge rooms at all class 1 separate dwellings upon vacancy.

- (2) All new properties acquired must have an energy rating of at least 3 stars. Properties constructed under the Nation Building and Jobs Plan Economic Stimulus Initiative achieved energy ratings of at least 6 stars, and have grey water reuse systems and water tanks. It is proposed that all new constructions will achieve at least 6 stars. The aim of the energy efficiency measures being implemented is to improve the energy rating of the existing public housing in the longer term.

There is not an aim of a minimum star rating for all stock given that the level of thermal performance that can be achieved after upgrading is variable depending on the form of construction, siting and orientation.

- (3) The energy efficiency improvements that have been undertaken under the program to improve the energy efficiency of public housing:
- installation of wall and ceiling insulation;
 - draught sealing;
 - installation of high efficiency gas and electric boosted solar hot water systems;
 - installation of electric heat pumps for new dwellings or existing dwellings upon failure; and
 - installation of pelmets and curtain rods in all separate houses as they become vacant.

The improvement made to each dwelling is based upon the following criteria/priority:

- properties where ceiling insulation is not installed;
- properties with electric storage water heating, with pre-1999 the highest priority;
- large brick veneer properties which do not have wall insulation;
- all separate houses; and
- remainder of properties.

Following the installation of the energy efficiency measures the energy rating of the properties is not assessed. Energy ratings are generally only required upon sale of a property. There is no program to undertake energy rating assessments for the public housing portfolio as this would divert funds from improving other properties.

Approximate figures for the reduction in carbon dioxide output and the net annual savings to households once the various improvements are carried out are at

10. Table – Energy Efficiency Products**Attachment A.****Carbon Dioxide Abatement, Capital Costs and Savings by product:****Table 1 — Hot Water Systems****All dwelling types assumed to be 3-4 bed separate dwelling, brick veneer and concrete slab*

Product	Capital Cost	tCO ₂ pa Output	tCO ₂ Saved (1)	Capital Cost per Tonne of CO ₂ saved	Net annual saving to client
Solar HWS – electric boost (315L) (2)	\$3720	1.16	3.06	\$1216	\$305
Solar HWS – gas boost (315L) (3)	\$5053	0.39	3.86	\$1309	\$107 (\$334 - \$227*)
Solar HWS – gas boost (315L) (4)	\$5553	0.39	3.86	\$1439	\$107 (\$334 - \$227*)
Gas HWS – 5 Star Instantaneous (3)	\$1694	1.28	2.94	\$576	- \$52 (\$175 - \$227*)
Gas HWS – 5 Star Instantaneous (4)	\$2194	1.28	2.94	\$746	- \$52 (\$175 - \$227*)
Gas HWS – 5 Star Storage (170L) (3)	\$1687	1.37	2.85	\$592	- \$87 (\$140 - \$227*)
Gas HWS – 5 Star Storage (170L) (4)	\$2187	1.37	2.85	\$767	- \$87 (\$140 - \$227*)
Heat Pump HWS (5)	\$2755	1.45	2.77	\$995	\$276

(1) Compared to standard tariff electric resistive HWS (3-4BR = 4.22 tCO₂ pa)

(2) Converting from standard tariff electric resistive HWS

(3) Converting from standard tariff if gas already connected and usage behaviour remains consistent

(4) Converting from standard tariff If gas is not already connected (assuming \$500 connection fee)

(5) However constant performance questionable

* Current ACTEWAGL gas supply fee is \$56.859 per quarter (\$227 pa). If gas is already connected the saving to the client's current bill would be the first figure in the brackets.

Table 2 — Building Shell Improvements**All dwelling types assumed to be 150m², 3-4 bed separate dwelling, brick veneer and concrete slab**** All the below figures provided are approximate and representative figures only*

Product	Capital Cost	Change in Heating Load (MJ/m ² /year)	tCO ₂ Saved per year	Capital Cost per Tonne of CO ₂ saved (assuming heating type is gas)	Net annual saving to client (assuming gas is already connected) (2)
Wall insulation R0 to R2.5 cavity injection	\$3500	-65	0.62	\$5645	\$50-100
Ceiling insulation R0 to R3.5 (3)	\$1300	-450	4.3	\$302	\$200-400
Ceiling insulation R3.5 to R6.0	\$600	-20	0.19	\$3157	\$30-70
Secondary Double Glazing – Entire House (1)	\$8000	-70	0.67	\$11940	\$50-100
Draught Sealing (1)	\$500	-55	0.52	\$961	\$40-80

- (1) Double glazing and draught sealing while having some improvement on property energy efficiency are considerably more effective when combined with other improvements.
 - (2) These figures are estimations only based on information gathered from Department of Environment, Climate Change, Energy and Water (DECCEW), Pitt & Sherry (formerly Energy Strategies) and calculations based on ACTEWAGL Natural Gas tariffs from 1 July 2010 (as at 7 September 2010).
 - (3) The majority of Housing ACT separate dwellings currently have ceiling insulation ranging from R2.5 – R4.0. Increasing the level of ceiling insulation will not create significant energy savings (as shown above).
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Climate change—action plan (Question No 1617)

Mr Rattenbury asked the Minister for the Environment, Climate Change and Water, upon notice, on 7 April 2011:

- (1) Given that in *Weathering the Change* Action Plan 1, Action 11 states that the Government will provide \$20 million over 10 years to assist schools to become carbon neutral by 2017. (a) how much of this money has been allocated, (b) how many government schools have been audited, (c) how many non-government schools have been audited, (d) how many (i) government and (ii) non-government schools have signed up to the Australian Sustainable Schools Initiative ACT, out of a total number of schools, (e) how many (i) government and (ii) non government schools have developed a School Environmental Management Plan and (f) what are the estimated greenhouse gas emissions savings as a result of the programs to date in (i) government and (ii) non-government schools.
- (2) Given that *Weathering the Change* Action Plan 1, Action 38 commits the Government to delivering a sustainability curriculum package for students from Preschool to Year 10, (a) when were the water, energy, biodiversity, waste and climate change components of the curriculum package completed, (b) how many schools are using each section of the curriculum package, (c) what training was provided to teaching staff in regards to the curriculum package, (d) has there been any evaluation as to the effectiveness of the curriculum package or its implementation in regards to students' understanding of sustainability issues; if so, has that evaluation been made public and where is it available.
- (3) Given that *Weathering the Change* Action Plan 1, Action 37 states that the Government will commence a comprehensive community education program to ensure that all Canberrans are aware of the potential impacts of climate change, and how together we can meet this challenge head-on, (a) what educational programs have been undertaken that will provide better information on utility bills, (b) what are all the programs that have been implemented under this Action, (c) has the Government undertaken (i) evaluation of these programs and (ii) research about the Canberra community's attitudes to climate change and (d) what (i) household information and (ii) community education kits have been developed.

- (4) Given that *Weathering the Change* Action Plan 1, Action 28 states that all government agencies will review their operations and infrastructure to identify climate change related impacts/risks and develop strategies to address them, (a) which government agencies have completed vulnerability assessments, (b) what policies have been implemented as a result of vulnerability assessments that have been undertaken and (c) are vulnerability assessments available on agency websites as public documents; if not, why not and where are they available.
- (5) Given that *Weathering the Change* Action Plan 1, Action 30 states that the ACT Government will, in partnership with New South Wales, undertake a vulnerability assessment of the ACT and surrounding region, and that a final report will be completed by 2010, (a) what progress has been made on this report, (b) has a draft report been completed and (c) is it anticipated that there will be a public consultation period.
- (6) In relation to *Weathering the Change* Action Plan 2, (a) when will consultation commence and (b) how long will consultation run for.
- (7) What aspects of the Federal Government's proposed carbon tax will impact on the delivery of the ACT's energy policy and *Weathering the Change* Action Plan 2.
- (8) Will the Government be waiting until a carbon tax is fully legislated before releasing and implementing Action plan 2; if not, when will this occur.

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

- (1) (a) To date \$17.6m has been allocated and is made up as follows:
- \$4.0m from the Schools Infrastructure Refurbishment program;
 - \$1.6m allocated to non-government schools;
 - \$2.0m from the Solar Schools Program; and
 - \$10m (\$1.0m/year for 10 years) from annual Capital Upgrades Program.
- (b) 84 government schools have had energy audits prepared. 73 government schools have received a water audit.
- (c) 34 non-government schools have received a water audit.
- (d) (i) 76 government schools have signed up to the AuSSI program out of 84 government schools.
- (ii) 38 non-government schools are part of AuSSI out of 44 non-government schools.
- (e) (i)&(ii) A data collection survey is being prepared which will request details from schools on such matters as the development of School Environmental Management Plans, level of integration and reporting on Education for Sustainability and participation in composting. The survey will be distributed to all schools in May 2011.
- (f) (i) The capture and evaluation of energy data from schools to accurately determine the effectiveness of greenhouse gas emissions savings programs is currently under development. Total annual greenhouse gas emissions of government schools decreased by 944 tonnes (3 per cent) between 2007-08 and 2008-09.

- (ii) The Department of the Environment, Climate Change, Energy and Water is currently negotiating permission to report on greenhouse gas emission data of non-government schools.
- (2) (a) The curriculum packages were completed and distributed to all ACT schools in December 2007. The package includes Step by Step Best Practice Guides to provide the action component (eg. steps required) on resource management and reduction. The delivery of the AUSSI program requires that both the guide and curriculum resources be implemented to achieve the goals of the program.

(b) A survey of AuSSI-registered teachers completed in 2008 indicated that teachers were implementing the curriculum resources across a range of learning areas. Another survey will be conducted in schools in May 2011.

(c) The ACT Sustainable School Officers have facilitated approximately two teacher training workshops each school term since the curriculum package was introduced in 2006.

(d) An independent evaluator has evaluated the effectiveness of the AuSSI ACT model, including the effectiveness of the curriculum package. A draft report has been prepared and is currently being considered. The draft evaluation report notes that "There was a strong agreement amongst respondents that the main professional benefit for teachers of being part of the AuSSI ACT has been: increased knowledge, understanding and skills relevant to sustainability and environmental education". The evaluation report will be made publicly available in the near future.
- (3) (a) The ACT Government has a number of programs under ACTSmart that provide information related to reducing energy costs and greenhouse gas emissions. ACTEWAGL has redesigned its utility bills in accordance with the national standards for retail energy providers.

(b) The ACTSmart website provides a portal to all Government programs assisting residents of the ACT to address climate change in their homes, businesses, schools and community.

(c) (i) The Department of the Environment, Climate Change, Energy and Water regularly conducts internal reviews of its programs.

(ii) The Department will undertake a revised follow-up to its 2007 sustainability survey to determine community attitudes, knowledge and behaviours towards the environment and sustainability. The survey is expected to be completed by July 2011.

(d) (i) & (ii) The HEAT Energy Advice Team telephone advisory service, HEAT Energy Audits, and the Home Energy Action Kits available in ACT Libraries provide information and education to householders on reducing energy use in the home.
- (4) (a), (b) & (c) From work undertaken by ACT agencies, and in partnership with NSW it has become clear that for vulnerability assessments to be valuable at the scale of the ACT, robust regional information on likely climate change impacts is needed. The Government is working with NSW to improve the data at the regional level.

- (5) (a) The Office of Environment and Heritage, NSW Department of Premier and Cabinet (formerly the NSW Department of Environment, Climate Change and Water) is conducting an Integrated Regional Vulnerability Assessment (IRVA) for the South East NSW State Plan Region. Although the region excludes the ACT, the Government has negotiated ACT involvement. The project will build ACT capacity to undertake its own integrated vulnerability assessment.

ACT representatives from DECCEW, CMD, TaMS, ACT Health, ACTPLA and ActewAGL participated in several IRVA workshops between February and July 2010. A DECCEW representative was also appointed to the project Steering Committee.

(b) & (c) NSW Office of Environment and Heritage is in the process of preparing a draft project report. The final report is expected to be publicly released in late 2011.

- (6) (a) & (b) It is proposed that consultation on Action Plan 2 will commence mid 2011. The consultation period will be in line with the ACT Government Community Engagement Manual and the draft *Engaging Canberrans: A guide to community engagement*.

- (7) The ACT Government is working to identify pathway options for achieving the ACT's legislated greenhouse gas reduction targets. This work will take into account the proposed introduction of the Commonwealth Government's carbon price mechanism.

- (8) No. Action Plan 2 is expected to be released for consultation in 2011 and finalised in late 2011. The implementation schedule will be dependent on the measures adopted following community consultation.

Schools—violence (Question No 1618)

Mr Doszpot asked the Minister for Police and Emergency Services, upon notice, on 7 April 2011:

- (1) Can the Minister provide a list of all schools that have reported cases of violent attacks and/or assaults to ACT Policing over the last three financial years, including name of school, year and nature of attack/assault.
- (2) What is the indicative rate of such incidences not formally reported to ACT Policing.

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

- (1) Please refer to Attachment A.
- (2) It is not possible to provide information or an '*indicative rate*' about violent attacks and/or assaults at schools that are not formally reported to ACT Policing.

(A copy of the attachment is available at the Chamber Support Office).

**Schools—behaviour management programs
(Question No 1619)**

Mr Doszpot asked the Minister for Education and Training, upon notice, on 7 April 2011:

- (1) Can the Minister provide a list of all behaviour management programs and pilot initiatives currently offered in the ACT school system including the cost for each program.
- (2) Can the Minister provide a list of all schools participating in the programs referred to in part (1) with corresponding student and staff numbers, and funding allocations.
- (3) Can the Minister provide overall costs for behaviour management programs for the last three financial years.

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

- 1) The Department of Education and Training has two behaviour management programs and one pilot initiative. Staff in the behaviour management programs work with school executive and classroom teachers to address complex behaviour and whole school wellbeing issues, rather than with individual students. The programs are as follows:

- a) Behaviour Support Partnerships program.
- b) Network Support Partners program.
- c) Suspension Support Team (pilot initiative).

- 2) a) Behaviour Support Partnerships program
Eight behaviour support teacher positions work in support of the following schools: Richardson, Taylor and Wanniasa Hills primary schools; Caroline Chisholm, Gold Creek, Kingsford Smith and Wanniasa P-10 schools; Alfred Deakin and Calwell high schools and the University of Canberra High School Kaleen.

The salaries funding allocated to this program is \$734 152.

- b) Network Support Partners program
The program comprises four senior counsellors (psychologists), four behaviour support teachers and two social workers. The program operates across the four school networks to address complex behaviour and whole school wellbeing issues that prevent students from engaging in learning. All ACT Public schools have access to this program.

The salaries funding allocated to this program is \$887 248.

- c) Suspension Support Team
The Suspension Support Team consists of a behaviour support teacher (1.0 FTE), a social worker (0.8 FTE) and senior counsellor (psychologist 0.5FTE). The team provides support to the following school executive teams and referred families in the Melba-Copland and Kingsford Smith clusters; Charnwood-Dunlop, Evatt, Florey, Fraser, Latham, Macgregor, Miles Franklin, Mount Rogers primary schools and Kingsford Smith School and Melba Copland Secondary School.

The salaries funding allocated to this program is \$202 003.

- 3) The overall salaries cost for field staff working in behaviour management programs for the last three financial years is;

2009/10 – \$1,427,234

2008/09 – \$1,207,375

2007/08 – \$1,171,154

Schools—chaplaincy program (Question No 1620)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 7 April 2011:

- (1) Can the Minister provide a list of all public schools in the ACT that have a chaplaincy program, with corresponding funding, chaplain numbers and student participation numbers over the last three financial years.
- (2) Can the Minister provide a list of all schools with counsellors, with corresponding information pertaining to number of counsellors, student participation numbers and funding allocation over the last three financial years.

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

- 1) School Boards decide whether they would like a chaplaincy program in their schools. Schools are not required to report to the Department of Education and Training if they have a chaplain. The National School Chaplaincy Program is an Australian Government-funded initiative. The Department does not provide funding for school chaplaincy programs.
- 2) All ACT Public schools have access to a school counsellor.

YEAR	FTE school counsellor positions
January 2008	45
January 2009	40.5*
January 2010	40.5*

*Represents the budgeted amount of FTE for school counsellors however, senior counsellors, who provide clinical supervision of school counsellors, provide an additional 2.5 FTE of support in schools.

YEAR	No of students accessing school counsellor services
2008	3851
2009	5036
2010	5178

YEAR	FUNDING (Salaries)
2007-2008	\$2,721,318
2008-2009	\$2,950,842
2009-2010	\$3,872,909

Canberra Institute of Technology—restructure (Question No 1621)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 7 April 2011:

- (1) When, in 2007 or 2008, did the Canberra Institute of Technology (CIT) Chief Executive and Board of Management decide and notify CIT teaching staff and other staff, of the following major organisational restructure that took effect on 1 January 2008: (a) the title Education Manager would be used for the main CIT leadership "positions between Band 1 teachers and Centre Directors in CIT's teaching centres, (b) the title Head of Department would cease to be used, (c) CIT Education Managers would hold the Teacher Band 2 classification level and (d) who teachers' and other staff members' Education Managers were.
- (2) Why did CIT's Chief Executive and other responsible delegates allow CIT teachers to call themselves Education Manager, without the prefix acting, for significant periods of time in 2008 and 2009 in the categories of teachers (a) with the substantive classification level of Band 1 teacher employed as Band 2 teachers on higher duties bases, (b) with the substantive classification level of Band 1 teacher employed as Band 1 Senior Teaching Post (STP) teachers on higher duties, bases, (c) lacking the mandatory adult teaching qualifications required for Band 2 and Band 1 STP level teachers that the Minister referred to in his answer to question on notice No 1176, part 1 and (d) lacking the Certificate IV in Training and Assessment, or equivalent.
- (3) Will the Minister ensure that all CIT staff acting in positions on higher duties basis will, in future, (a) use the prefix acting and (b) possess the teaching qualifications required at the classification level of the position occupied on a higher duties basis according to the *Public Sector Management Standards and Australian Quality Training Framework* guidelines.

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

- (1) (a) On 15 November 2007, the CIT Board of Management decided that the change in organisational structure due on 1 January 2008 presented CIT with an opportunity to amend terminology in use at the time that was more relevant to a university than a VET provider. It was decided at the meeting that Education Manager would be the new local title for staff holding the classification of Teacher Band 2, effective from 1 January 2008. A Teacher Band 2 network meeting was held on 23 November 2007 at which the Chief Executive discussed this change with staff;
- (b) the local title "Head of Department" was replaced with Educational Manager on 1 January 2008;

- (c) under previous terminology “Head of Department” was used for staff at the Teacher Band 2 classification level. As a result, the new local title of Education Manager automatically held the same classification of Teacher Band 2; and
 - (d) on 1 January 2008, the majority of teaching areas within CIT retained the same Education Manager as under the old “Head of Department” structure. In other cases, Centre Directors consulted with staff in their respective Centre on any necessary changes.
- (2) (a) The prefix “acting” can be used where staff at one classification level are temporarily placed at a higher classification level. While it is a commonly used prefix across the ACT Public Service it is not mandatory;
- (b) as for (a);
- (c) As outlined in the response to QON 1176, there are mandatory teaching qualifications that apply to certain levels in the Teaching Classification Structure. Accordingly, CIT endeavours to ensure that staff placed at these levels hold the required qualification. Where an error is identified, CIT acts to correct it in as timely a manner as possible, taking into consideration continuity of business outcomes; and
- (d) as for (c).
- (3) (a) As indicated above, the prefix “acting” is not a mandatory requirement;
- (b) the *Australian Quality Training Framework* provides guidance to CIT on the qualification requirements for the delivery of VET Training. It does not mandate specific qualification requirements for teaching classifications used within CIT. CIT will always endeavour to ensure that staff have the appropriate level of qualifications commensurate with the mandatory qualification requirements under the Public Sector Management Standards.

Canberra Institute of Technology—teaching qualification requirements (Question No 1622)

Mr Doszpot asked the Minister for Education and Training, upon notice, on 7 April 2011:

- (1) Was the Minister aware that teaching qualification requirements for teachers at the Canberra Institute of Technology (CIT) derive not only from the Public Sector Management Standards, but also from the Australian Quality Training Framework (AQTF) for the vast majority of CIT teachers who teach in one or more vocational programs and from ACT Board of Senior Secondary Studies (BSSS) guidelines for those teaching in CIT’s Year 12 program.
- (2) Was the Minister aware that in 2007 all or most CIT teachers, who did not possess the Certificate IV in Training and Assessment, were informed in writing that all teaching staff are required to have the Certificate IV in Training and Assessment for the commencement of semester 1, 2008, or words to that direct effect.

- (3) Will the Minister provide a corrected response to question on notice No 1176 part (1)(c)(ii) in light of the AQTF and BSSS guidelines CIT has been required to follow at present and all times from 2008 onwards.

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

- (1) The National Quality Council (NQC) is responsible for determining the training and assessment competencies to be held by Trainers and Assessors under the *Australian Quality Training Framework Essential Conditions and Standards for Continuing Registration*. This document sets out the competency requirements for staff employed as Trainers and Assessors in Registered Training Organisations such as CIT. Those requirements are then used to inform the qualification requirements of specific teaching classifications contained within the Work Level Standards as part of the ACT Public Sector Management Standards. While there is no legislative requirement for CIT staff to have specific teaching qualifications under the ACT Board of Senior Secondary Studies (BSSS) guidelines, there is an expectation that staff involved in these programs will have equivalent qualifications to those held in the relevant schools sector. Accordingly, recruitment activities undertaken in these areas closely examine the teaching qualifications of prospective staff to ensure quality of educational outcomes is maintained.
- (2) CIT staff are routinely reminded of the training and assessment competencies under the *Australian Quality Training Framework Essential Conditions and Standards for Continuing Registration*. As a result, teaching staff that do not hold the Certificate IV in Training and Assessment are strongly encouraged to gain this qualification as this enhances their ability to deliver quality educational outcomes for CIT students.
- (3) It is not a mandatory requirement for Teacher Band 1s who are paid below the salary barrier to have teaching qualifications. The *Australian Quality Training Framework Essential Conditions and Standards for Continuing Registration* states the level of qualification for those staff involved in training and assessment. The Conditions and Standards provide for trainers who do not have teaching qualifications (but who do have vocational qualifications) to work under the direct supervision of a person who has the teaching competencies specified. As Teacher Band 1s are supervised by staff that are required to have a higher level teaching qualification than that contained in the Conditions and Standards it is clear that CIT is meeting its requirements in this regard. Where teaching staff do not hold the qualifications necessary for assessment they are required to perform this task with a teacher who does hold the necessary qualifications. As part of its obligations as a Registered Training Organisation (RTO), CIT undergoes regular compliance audits to retain its RTO status. These audits have not identified any issues in regard to compliance with the Conditions and Standards that relate to training and assessment qualifications.

Sport—funding (Question No 1623)

Mr Doszpot asked the Minister for Tourism, Sport and Recreation, upon notice, on 7 April 2011:

- (1) What are the Government's criteria for determining funding levels for the Sport and Recreation Operational Program.

- (2) Are the additional cost requirements of disability sports organisations taken into consideration in determining funding levels; if so, what consideration are taken into account; if not, why not.

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

- (1) Operational funding levels from within the Sport and Recreational Grants Program (SRGP) is determined by a range of factors including a demonstrated need, leadership and management, planning, membership and participation, identified areas of development and performance history.
- (2) Disability sports' organisations are assessed on the same basis as any other organisation. Activities that are beyond core business may also be eligible for project-based support.

Housing—supported accommodation initiatives (Question No 1624)

Mr Doszpot asked the Minister for Disability, Housing and Community Services, upon notice, on 7 April 2011:

- (1) Can the Minister provide a list of all supported accommodation initiatives in the ACT and corresponding costs for each initiative over the last three financial years.
- (2) How many supported accommodation places were made available over the last three financial years for each initiatives referred to in part (1).
- (3) What were the waiting times and/or vacancy rates over the last three financial years for each initiative referred to in part (1).
- (4) What staffing requirements and costs were associated with such initiatives over the last three financial years.

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

Response to (1) and (2).

Table provide information requested on new initiatives over the past three years. Costs for these initiatives do not include capital costs associated with construction of properties.

Initiatives	Costs (\$)			Accommodation Places
	08/09	09/10	10/11	
A Place to Call Home (APTCH) and Expansion of Transitional Housing Program (THP)	n/a	n/a	132,000	20 properties for APTCH (one family unit per property) Additional properties for THP (one family unit per property)

Housing and Accommodation Support Initiative	n/a	15,693	513,307	10 places
Managed Accommodation Program (Men's and Women's)	200,000	448,680	700,665	35 places, comprising of: Mens - 15 places as a direct response to homelessness 15 places for clients exiting institutions Womens – 5 places
Youth Integrated Education and Accommodation Program	n/a	n/a	360,000	Up to 28 places

(3) With the introduction of First Point, vacancies in these programs are allocated to those most in need according to a fair and consistent prioritisation process. There are no waiting lists for individual programs.

(4) Staffing requirements and costs are managed by agencies engaged to deliver services and this information is not held by the department.

Disability services—respite homes (Question No 1625)

Mr Doszpot asked the Minister for Disability, Housing and Community Services, upon notice, on 7 April 2011:

- (1) Can the Minister provide a list of all respite homes in the ACT and corresponding construction costs over the last three financial years.
- (2) What is the percentage cost breakdown for the actual construction of each home and for fitting the home for the purpose of respite care.
- (3) What are the individual elements and corresponding costs associated in making such homes respite-ready.
- (4) What was the total number of people with disabilities who relied on such a service over the last three financial years.

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

- (1) No respite homes have been constructed in the ACT in the last three financial years.
- (2) and (3) Any houses purpose built to provide respite facilities for people with a disability would factor in additional costs relevant to the type of support to be provided. For example larger rooms to accommodate hoists for lifting, bathroom and

kitchen modifications, appropriate windows for people whose disability may include challenging behaviours. Respite facilities may also be larger in size than a permanent living arrangement to cater for additional numbers and levels of activities undertaken in the home environment.

- (4) The total number of people with disabilities accessing respite services in the ACT in the last three financial years is 995.

Year	Number of people with disabilities accessing respite services in the ACT
2006/07	305
2007/08	320
2008/09	370

Housing—affordability (Question No 1627)

Ms Le Couteur asked the Chief Minister, upon notice, on 7 April 2011 (*redirected to the Minister for Land and Property Services*):

- (1) What housing developments does the 20 percent affordable housing target apply to.
- (2) Does the 20 percent affordable housing target only apply to greenfield developments; if so, how does the Government define greenfield.
- (3) Did the Minister state, in a response to a question during question time on 29 March 2011, that we are moving to apply that 20 percent rule universally and that it is universally applied; if so, can the Minister explain what that means, and to which areas it is universally applied to.
- (4) Did the Minister mention, in a response to the question referred to in part (3), that 20 percent of land in Dickson is public housing; if so, does that mean that there is an intention to have suburb-wide affordable housing targets.
- (5) Did the Minister state that he would make a full list available of where exemptions to application of the affordable housing target have been made, and reasons for those exemptions; if so, is that list available yet.
- (6) Does the 20 percent affordable housing target only apply to developments where the land was sold by the ACT Government in the last few years and it was a lease condition; if so, when did the Government start including affordable housing targets as part of the lease conditions and are there any land sales where the 20 percent housing affordability target is not required.
- (7) How does the 20 percent affordable housing target apply to new suburbs and estates which may have a mixture of single residences and multi-unit development.
- (8) How are conditions for developers to meet such requirements applied.
- (9) How are the conditions applied where government agencies sell single blocks of land.
- (10) How are affordable housing conditions placed on private developments which are being built on land not previously owned by the ACT Government.

- (11) Are lease conditions the only method the Government has to use to require 20 percent affordable housing.
- (12) Does it also apply to infill developments, such as Precinct D of the QIC development, previously known as Section 84, behind the Canberra Centre; if so, how are conditions for developers to meet such requirements applied in these situations.
- (13) Are development conditions placed upon approvals for large-scale multi-unit housing, to ensure that 20 percent of apartments are affordable; if so, are there any other related conditions and how are the conditions applied to the development.

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

- (1) It is a requirement that 20 per cent of dwellings sold in new Greenfield estates must have a sale price of between \$219,000 and \$328,000.
- (2) Yes. Greenfield is defined as any development of land that occurs outside of the urban boundary as defined in the attached map (Attachment A). The land is generally located on the outer edge of the existing urban area and requires subdivision, road construction, connection to services and new retail, educational and community facilities. It includes land in Gungahlin and Molonglo.
- (3) No.
- (4) No.
- (5) No exemptions have been granted.

The Affordable Housing Action Plan, launched in April 2007, recommended that 15 per cent of the blocks released each year target house and land packages within the \$200,000 to \$300,000 price range. This requirement has been increased to 20 per cent of new blocks, and in July 2010, the price range was indexed to a range between \$219,000 and \$328,000. The recommendation was originally interpreted as applying to all greenfield releases in the Territory, and until 2010, was not interpreted as applying to detached multi-unit releases.

In 2010, a policy decision was made to expand the scope of the affordable housing requirement to include multi-unit greenfield sites. As a consequence of this change, the release of the most recent Flemington Road sites has included the affordability requirement, however, sites released in Kingston and on Flemington Road before this decision were not subject to this requirement.

- (6) See the response to (5) above.
- (7) It is a requirement that 20 per cent of dwellings sold in new Greenfield estates must have a sale price of between \$219,000 and \$328,000. Additionally, to ensure an adequate mix between houses and units, at least 10 per cent of blocks within an estate must be separately titled house blocks up to an average size of 200 square metres.
- (8) A developer must produce documentation, demonstrating compliance with the affordable housing sale requirements, to the satisfaction of the ACT Planning and Land Authority (ACTPLA). Documentation may include, but is not limited to, a

schedule of block and sections sold, including sales prices of all affordable dwellings and copies of unconditional contracts for each sale.

(9) The only Government agency involved in selling single blocks is the Land Development Agency (LDA). The LDA satisfies the 20 per cent affordable requirement through the sale of packaged house and land packages under OwnPlace.

(10) Where such developments occur in greenfield estates, a developer must produce documentation, demonstrating compliance with the affordable housing sale requirements, to the satisfaction of ACTPLA.

(11) Yes. The requirements are incorporated in the Estate Deed.

(12) No.

(13) In accordance with estate deeds, leases for up to 20 per cent of the total number of dwellings will be withheld from being issued until the affordable housing conditions have been fulfilled to the satisfaction of ACTPLA.

(A copy of the attachment is available at the Chamber Support Office).

Planning—community gardens (Question No 1628)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 7 April 2011 *(redirected to the Minister for Planning)*:

- (1) What is the name of the inter-agency committee or working group which looks after community garden leases and siting.
- (2) Which government and non-government agencies are on this group/committee.
- (3) What roles do these agencies play on the committee.
- (4) Who does the committee report to, and how, for example, will any information be provided in annual reports.
- (5) Why was the committee first established.

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

- (1) The ACT Community Gardens Policy Working Group was established to develop a policy for community gardens on unleased Territory land. It should be noted that the working group is not responsible for current community garden leasing or siting.
- (2) The following Government agencies have representation on the Working Group:
 - ACT Planning and Land Authority (ACTPLA)
 - Department of Territory and Municipal Services (TAMS) - City Services and Sports and Recreation Services
 - Department of Education and Training (DET)
 - Department of Environment, Climate Change, Energy and Water (DECCEW)
 - ACT Health

- Department of Disability, Housing and Community Services (DHCS)
- Department of Land and Property Services (LAPS)

Non-government groups and agencies will be consulted during the draft policy review process.

- (3) ACTPLA is the convener of the working group and provides advice on community garden land use planning and leasing issues in respect to the provisions of the Territory Plan and *Planning and Development Act 2007*.

TAMS is the land custodian for most public urban open space in Canberra and is responsible for the administration of current licenses for community gardens on public land. It provides advice in relation to potential sites for community gardens.

DET provides advice and information on community gardens and school kitchen gardens on public school sites in the ACT.

DECCEW administers environment grants available to community garden groups and provides advice on its links with academic and environment groups and on general policy matters.

ACT Health administers the Community Funding Round and Healthy Schools Healthy Children Funding Round which fund garden projects from eligible organisations.

DHCS provides opportunities for public housing tenants to establish community gardens on public housing land and provides grants to assist tenants to establish community gardens.

LAPS administers the land release program and direct sale applications, and liaises with residential estate developers who wish to include community gardens within residential estates.

- (4) The working group reports to the Chief Planning Executive, ACTPLA, and to the Minister for Planning. It will also report back to the Assembly in response to the Assembly motion of 9 March 2011 on community gardens.
- (5) The ACT Community Gardens Policy Working Group was established to develop a policy for community gardens on unleased Territory land. This was in response to growing community interest in community gardens, as expressed through community consultation and specific site requests.

The scope of work has since been extended to include the matters raised in the Assembly motion of 9 March 2011.

Arts—You Are Here festival (Question No 1630)

Ms Le Couteur asked the Minister for the Arts and Heritage, upon notice, on 7 April 2011 (*redirected to the Chief Minister*):

- (1) Does the Government plan to hold a festival similar to the You Are Here festival in 2012.

- (2) If a decision on whether to hold the festival has not been made, when will this decision be made and will it be made in time for organisers to have more than 100 days to plan an inclusive festival.
- (3) Given the success of the You Are Here festival, has the Government considered developing an ongoing model in which the Government facilitates turning unused office space into short term arts venues.
- (4) Are there any plans to expand the festival beyond the 10 days.
- (5) Which ACT arts groups and organisations were (a) included in and (b) not asked to participate in the You Are Here festival.
- (6) What was the complaints process for artists and organisations who feel they were not included in the festival and what measures are being taken to ensure that similar festivals are even more inclusive in the future.

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

- (1) A decision regarding Centenary pilot programming for March 2012 has not yet been made.
- (2) The Centenary Unit are scheduled to evaluate the 2011 *You Are Here - URBANcITY* pilot initiative by 30 June 2011. It is anticipated that a decision for 2012 programming will be made at this time.
- (3) At this time the Government is not considering a model where the Government facilitates ongoing matching of unused office space into short term arts venues. Inclusion of unused shopfronts in future Centenary pilot programs will be made at the time of evaluation taking into consideration the success of that process from the perspective of the CBD retailers.
- (4) The future, duration and timing of the *You Are Here - URBANcITY* pilot initiative will be considered as part of the evaluation process.
- (5) *You Are Here - URBANcITY* was a curated program of activity to enliven the city centre in the period around Canberra's 98th birthday. The 'curated' or artistic director/creative producer model works the same as with a number of other government funded institutions in the ACT - e.g. The Street Theatre, the Canberra Theatre Centre, the Canberra Symphony Orchestra or the Canberra International Music Festival, CMAG, Glassworks and Craft ACT, where a director or creative producer is engaged to make a selection of artists or programs to take part under those respective banners, and to create a rounded program from those invited or commissioned elements. This is intentionally a process of invitation rather than open access.

The following ACT arts groups and organisations were included in the *You Are Here - URBANcITY* pilot program.

- Bad! Slam! No! Biscuit!
- Slow Food Convivia in Australia
- Canberra Roller Derby League Dead City Rollers Inc

- N.R BYRNE & B.D CROWLEY & C.E HAGARTY trading as Impro Theatre ACT
- Cultural Facilities Corporation trading as Canberra Theatre Centre
- Craft ACT Craft and Design Centre
- Jigsaw Theatre Co Inc.
- The Stagemaster Inc trading as The Street Theatre
- ANU Happiness Society trading as ANU Univibes
- Comedy ACT
- Electric Lake
- Kirschbaum, Elena Leonie trading as Highwire Events
- Shoeb Ahmad HelloSquare
- Canberra Dance Theatre Inc.
- Mbili Pty Ltd trading as The Phoneix
- Little Dove Theatre
- ACT Special Events Unit, Chief Minister's Department

Centenary of Canberra Creative Director, Robyn Archer selected Canberra born and bred actor, writer, director and producer, David Finnigan to undertake the role of Creative Producer for *You Are Here - URBANciTY*.

- (6) The *You Are Here – URBANciTY* Creative Producer David Finnigan actively developed social media networks in association with the program. These tools provided an opportunity for artists and organisations to directly contribute feedback/complaints. Feedback was also sought formally by the Creative Producer for evaluation purposes through an email address on the *You Are Here* website. All feedback will be considered as part of the program evaluation.

Planning—sun shadow diagrams (Question No 1632)

Ms Le Couteur asked the Minister for Planning, upon notice, on 7 April 2011:

- (1) What checks does the ACT Planning and Land Authority (ACTPLA) do on sun shadowing diagrams which accompany development applications.
- (2) Does ACTPLA check the diagrams for accuracy.
- (3) Is ACTPLA aware of the general problems that can arise when incorrect parameters are entered into the software and how quickly this can make a diagram incorrect.
- (4) Does ACTPLA check whether the shadow diagrams meet with Building Code of Australia code requirements and Territory Plan requirements in relation to shadowing

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

- (1) ACTPLA manually checks the shadow diagrams submitted with Development Applications where there is potential for an unreasonable impact; that aspect of the development is considered against the relevant criteria of the Territory Plan.

- (2) Yes.
 - (3) Yes.
 - (4) ACTPLA does not assess the development proposal against the Building Code of Australia as this is the role of the building certifier. With respect to the Territory Plan refer to (1) above.
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Energy—efficiency ratings (Question No 1633)

Ms Le Couteur asked the Minister for Planning, upon notice, on 7 April 2011:

- (1) Does the ACT Planning and Land Authority (ACTPLA) keep a register of energy efficiency ratings (EERs) for approved developments in the ACT.
- (2) Does ACTPLA have historical data of EERs for houses developed and approved by ACTPLA.
- (3) Is ACTPLA able to provide numerical data for the numbers of dwellings approved in various calendar years in the ACT; if so, (a) can ACTPLA provide this data, (b) can this data be correlated to EERs for each of those years and (c) is ACTPLA able to guess what percentages of the ACT housing stock are at various EERs.

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

- (1) No. Greater information on individual ratings will be captured when electronic lodgement commences.
- (2) All energy efficiency ratings lodged with ACTPLA are held on building files physically or electronically as they relate to either a building approval, prior to March 2008 a development approval, or a sale or lease of a particular property.
- (3) Historical data is not readily reported against.

ACTPLA has data on the number of building approvals issued; however, the approval is issued for a piece of building work or a whole building rather than for each individual dwelling in a multi-unit development. In addition, as the Member would be aware, energy efficiency ratings are not compulsory to demonstrate compliance with the Building Code of Australia and a number of buildings are approved using other compliance methods.

Therefore in response to the members specific questions, (a) if years are specified ACTPLA may be able to provide general information on the number of building approvals, but not necessarily the precise numbers of class 1, 2 and 4 dwellings; (b) at present this data cannot be readily correlated to average energy efficiency across all dwellings to which an EER could apply; and (c) ACTPLA could guess but prefers its deductions to be based on adequate analysis, which would need to consider construction types in the housing mix, differences in software, building standards for different classes of building at the time of approval, rates of renovations requiring or not requiring approvals, effective levels of insulation and replacement of other

materials included in an original rating, and the effect of rebate and other energy efficiency incentive schemes on building performance.

In my view such an exercise would not be a productive use of ACTPLA's resources.

Housing—affordability (Question No 1634)

Ms Le Couteur asked the Minister for Planning, upon notice, on 7 April 2011:

- (1) What planning instruments are used to ensure that the Government's target of 20 percent affordable housing is met.
- (2) Is the target included in the requirements for the various residential codes and is the target part of any precinct codes.
- (3) How does the 20 percent affordable housing target apply to new suburbs and estates which may have a mixture of single residences and multi-unit development and how are conditions for developers to meet such requirements applied.
- (4) How are affordable housing conditions placed on private developments which are being built on land not previously owned by the ACT Government and are lease conditions the only method the Government has to use.
- (5) Does it also apply to infill developments, such as Precinct D of the QIC development, previously known as Section 84, behind the Canberra Centre; if so, how are conditions for developers to meet such requirements applied in these situations.
- (6) Are development conditions placed upon approvals for large-scale multi-unit housing, to ensure that 20 percent of apartments are affordable; if so, (a) are there any other related conditions and (b) how are the conditions applied to the development.

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

- (1) The 20 percent target for affordable housing for greenfields developments undertaken by private developers or government joint ventures are included in the Deed of Agreement which contains all the development conditions and is annexed to the holding lease for the land.

For government land developments undertaken by the Land Development Agency, the affordable housing policy is implemented by the Department of Land and Property Services

- (2) No. The Territory Plan is not the appropriate instrument for the delivery of such a policy.
- (3) The 20% affordable housing target in new estates is applied to the total number of dwellings approved for the estate by the Territory.

The developers must meet the affordable housing requirements specified in the Deed of Agreement in accordance with the policy and wording provided by the Department of Land and Property Services before the final 20% of residential leases are issued to the developer by ACTPLA.

- (4) The 20% affordable housing is only a requirement of greenfields developments.
 - (5) The 20% affordable housing requirement is not applied to commercial precincts.
 - (6) The 20% affordable housing is only a requirement of greenfields developments.
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Questions without notice taken on notice

ACTION bus service—cancellations

Mr STANHOPE (*in reply to a question by Ms Bresnan on Tuesday, 8 March 2011*): The attached table and graph provide information on ACTION's service deliveries and failures to February for the 2010-11 financial year. The specific data in relation to the actual services cancelled is a little more difficult to compile and is not able to be provided at this time.

In relation to service failures, you will note from the statistics that trends in relation to driver shortages and bus shortages have led to an increase in the average number of service failures.

Driver shortages are due to a combination of ACTION's ageing workforce (whom are beginning to retire in greater numbers) and an inability to attract, recruit and train sufficient driving staff to meet the service delivery needs of Network 10.

Bus shortages are the result of workshop throughput constraints due to inflexibility in the current Collective Agreement, which limits workshop operating hours.

Service unreliability has become particularly acute since the beginning of Term 1 when dedicated school services recommenced for the year.

ACTION is currently running a rolling recruitment and training program to re-establish sufficient driving staff and is on track to reach full establishment in June 2011.

ACTION continues to bargain with the Transport Workers Union (TWU) and the Australian Manufacturing Workers Union (AMWU) over a new employment agreement.

Central to ACTION and the Government's claims is the removal of clauses in the existing agreement (such as a limit on the span of hours in the workshop) that restrict the efficiency and reliability of Canberra's bus services.

MONTHLY	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11
Service Delivery	99.6%	99.3%	99.4%	99.1%	99.0%	99.3%	99.2%	98.4%	98.8%
Scheduled Services	69,727	72,506	68,589	66,527	72,402	64,838	60,643	65,721	72,204
Service Cancellations	296	506	400	57	694	483	480	1,079	897

Reason for Cancellation

Accident	16	4	5	5	4	2	6	1	1
Driver Shortage	76	282	208	353	305	202	196	542	385
Bus Shortage	8	16	3	2	145	96	27	301	283
Breakdown	159	152	162	185	200	171	240	185	185
Other	37	52	22	30	40	12	11	50	43

The graph is available at the Chamber Support Office.

Transport—greenhouse gas emissions

Mr STANHOPE (*in reply to a question by Ms Bresnan on Wednesday, 30 March 2011*): The Government is currently investigating mitigation options and pathways for achieving legislated greenhouse gas reduction targets. Sustainable transport options including increased take-up of public transport, cycling and walking are included in our investigations. The results of this work will inform community consultations on *Weathering the Change* Action Plan 2, Transport for Canberra and The Canberra Spatial Plan.

Education—science

Mr BARR (*in reply to a supplementary question by Ms Le Couteur on Wednesday, 6 April 2011*): To prepare schools for the introduction of the Australian Curriculum in 2011, approximately two thirds of ACT primary schools have at least one teacher trained as a *Primary Connections Curriculum Leader*. It is an intensive two-day course which provides teachers with an understanding of the pedagogy and helps develop the leadership skills to support colleagues in schools.

In 2010, a total of 67 ACT teachers were trained as a *Primary Connections Curriculum Leader*. Of these, 59 were from the public sector. In 2011, an additional 35 ACT teachers, from the Catholic sector, were trained.

A departmental curriculum officer was also trained as a *Primary Connections Curriculum Facilitator*, to provide sustained support for ACT public schools implementing the program as well as working with those public schools yet to undergo the training. In addition, regular cross-sector network meetings have been implemented to support all ACT primary schools with their use of the program, the inquiry learning method promoted by the program and resourcing.

Mr BARR (*in reply to a supplementary question by Ms Bresnan on Wednesday, 6 April 2011*): The Department has supported all public schools with teachers trained in the *Primary Connections* approach to teaching science. In 2010, 281 units were purchased at the cost of \$8000.

Primary Connections is only one of a number of possible approaches by schools for the successful implementation of the Australian Curriculum: Science.

ACTION bus service—MyWay card

Mr STANHOPE (*in reply to a supplementary question by Mrs Dunne on Thursday, 7 April 2011*): MyWay is a business unit of the ACT Department of Territory and Municipal Services (TAMS). TAMS, is bound by the *Privacy Act 1988* (the Act), including the Information Privacy Principles set out in section 14 of the Act.

MyWay only collects personal information for lawful purposes that are directly related to its functions or activities.

MyWay uses personal information only for the purposes for which it was provided. MyWay does not give personal information to other persons, agencies or bodies outside the Department, except where:

- a person has consented to MyWay giving their personal information to someone outside the Department;
- a person would reasonably expect MyWay to, or MyWay has told them that they will make the disclosure;
- the disclosure is required or authorised under law;
- the disclosure is necessary to prevent or lessen a serious and imminent threat to somebody's life or health; or
- the disclosure is reasonably necessary to enforce the law, enforce a law imposing a pecuniary penalty or to protect public revenue.

MyWay uses a range of measures to protect personal information from loss and misuse, and from unauthorised disclosure, access, use, or modification. These measures include security of information used for issuing of photographic school student MyWay identification cards, restricted physical access to the Department's offices, secure filing cabinets, firewalls, secure databases, computer user identifiers and passwords. A full copy of the MyWay privacy policy can be found at www.transport.act.gov.au.

Mr STANHOPE (*in reply to a supplementary question by Mr Smyth on Thursday, 7 April 2011*): MyWay is a business unit of the ACT Department of Territory and Municipal Services (TAMS). TAMS, is bound by the *Privacy Act 1988* (the Act), including the Information Privacy Principles set out in section 14 of the Act.

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- the disclosure is necessary to prevent or lessen a serious and imminent threat to somebody's life or health; or
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Bimberi Youth Justice Centre—security protocols

Ms BURCH (*in reply to questions by Mr Seselja and Mrs Dunne on Thursday, 10 March 2011*): I would like to advise Members that the Woodwork Trainer undertook the required pre-employment checks, including an appropriate police records check. During 2010, the Trainer worked for three days per week from 22 November until 15 December 2011. The Trainer was given a Bimberi Security induction before commencing employment in November 2010 and subsequently attended daily resident and security briefings until the end of the 2010 school year.

The Trainer re-commenced work after the school holidays on 31 January 2011 to attend a week long orientation and site induction program to the Murrumbidgee Education and Training Centre. The Trainer attended for the 3 days that he was rostered for duty.

In relation to duress alarms, the policy is to provide all staff who have face to face contact with young people with duress alarms. In the past there have been no comprehensive records in relation to the allocation of duress alarms. This has been rectified and improved record keeping was introduced in 2011.

As such, the Department can confirm that the Trainer on his return from school holidays this year was issued with a personal duress alarm on 3 February 2011.