



Debates

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Thursday, 22 March 2012

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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.

Schools—weapons
Statement by minister

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections), by leave: Mr Speaker, I thank you and I thank the members of the Assembly for giving me leave to speak on these matters. This week the opposition has asked a number of questions of me as minister for education. Many focused on the police investigation into an incident on 14 February.

On 14 February the police were called to a school. They began an investigation into a bullying incident. I am advised that this investigation concluded on 23 February. I am also advised that the police subsequently visited the school again on 1 March to conduct a community visit and talk to the school about such issues as bullying.

As I have said as recently as yesterday, as to police procedure you will need to question the police minister. The police were immediately called to the incident. They investigated and they concluded their investigation. That is most properly a matter for the police.

On 2CC I said that “the police are involved”. I apologise for using the wrong tense in my language. I should have said that they had been involved. It was a police issue and it was up to the police to determine the nature and timing of their investigation. Of course, it would not be appropriate for me to be involved in those operations.

As education minister I am confident that my directorate is doing everything it can to ensure all students have a safe place to learn. Throughout this time as minister for education my concern has been for all the students involved and for their educational outcomes. I have also sought assurances about the ongoing safety of all students in both government and non-government schools.

I have always been concerned about breaching the privacy of the students, families and staff involved and damaging the reputation of an excellent public high school. Just because one parent of the several parents involved chose to make public comments does not make it all right. Other parents have not chosen this route and they and their families should not be dragged into this publicly as a result.

I remain concerned that some members are manipulating the incident and subsequent investigation without regard for those involved. I am deeply concerned to see that a member of this Assembly has claimed that since the media has become involved members are somehow absolved of their fundamental responsibility to respect the privacy and wellbeing of school-aged children.

Incidents of this nature require a level of maturity on behalf of all people involved in them, particularly all members of this Assembly who, as leaders in this community, have an obligation to provide the community with the best information and the best decision making. That is why it is important that any confusion be cleared up and any further manipulation and allegations of conspiracy put to rest.

My interest has been in the way that the Education and Training Directorate have handled this incident and in their follow-up care—through extensive counselling and meetings with parents and students and the use of restorative justice practices—for all those involved.

MR DOSZPOT (Brindabella) (10.07), by leave: Mr Speaker, I am very pleased to hear the minister stand up and clarify some issues which we have been trying to clarify through question time for the last two days. The minister's clarification this morning, like his clarification on another matter yesterday, even leads to more questions. To answer his secondary statements first off, at no stage have I ever sought to bring the privacy of the issue at stake here into the public arena. What I have been questioning all along has been this minister's conduct in relation to understanding the handling of this matter.

On 14 February the police were called to an issue and, as the minister has told us, on 23 February the matter was concluded. I was given a briefing to this effect on 7 March by the minister's department and by the minister's office. So I was certainly made aware of that. I understood when the police inquiry had concluded. However, when the minister was interviewed the next day on radio, which he referred to, on 8 March—he has now apologised for using the wrong tense—he did not clear up during the interview at any stage if he was aware that the police matter had been concluded. It was a very ambiguous way that he left that interview.

In the last two days of question time the same ambiguity remained. He kept telling us that if we want to find out when the police inquiry concluded—which is not an unreasonable question we were asking and it was not anything to do with the privacy of the individual student or whichever school we are talking about. We are simply asking for the minister's understanding of his own department. Even yesterday, as late as yesterday, this minister was telling us that if we wanted to find out when the matter concluded, speak to the police minister.

I do not need to speak to the police minister. You are the education minister. I asked you the questions in question time and you still obfuscated as late as yesterday. I stand by what we have been trying to do, minister. It is simply trying to make sure that the community has a minister that is looking after the community's needs.

With the view that you are absolutely satisfied with your department's work, and I am glad to hear you say that, I would like to know why, if you are so satisfied, you still called for a risk assessment a week later after this matter occurred. There are still issues with regard to the risk assessment and what the terms of reference for that risk assessment were.

I thank you for the clarification that you have given here this morning, minister. This is what we have been trying to get to the bottom of for the last two days. I think your answers to the questions are rather late but I thank you for bringing them to the notice of this Assembly now.

Financial Management Amendment Bill 2012

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—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation) (10.11): I move:

That this bill be agreed to in principle.

Mr Speaker, today I am tabling the Financial Management Amendment Bill 2012. This bill amends the FMA to strengthen the processes underpinning the amendment of performance criteria by ACT government agencies. It should be noted that this amendment is part of an ongoing program of work being undertaken by Treasury to provide assurance that the processes and guidelines that accompany the ACT government performance management framework are robust and transparent.

This framework is important, as it is the basis upon which government services can be measured against planned targets. Part of the framework is the ability of agencies to review and, if necessary, amend their performance criteria. Under section 19D of the FMA, when an agency amends its criteria the responsible minister is authorised to approve the amendment.

The Auditor-General's report on the 2010-11 financial audit commented on occasions when these instruments had been prepared incorrectly. This bill will strengthen the process by amending the FMA to include the Treasurer in the review and approval process of the instruments prepared by agencies to amend performance criteria. Including the Treasurer in subsection (2) means the notifiable instrument under section 19D(5) is only made if signed by both the minister and the Treasurer. Further changes have been made to section 19D(3) as a consequence of the change in subsection (2).

Mr Speaker, I commend the bill to the Assembly.

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

Energy Efficiency (Cost of Living) Improvement Bill 2012

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (10.13): I move:

That this bill be agreed to in principle.

I am proud today to present the Energy Efficiency (Cost of Living) Improvement Bill 2012 along with its associated draft instruments and supporting regulatory impact statement. This bill establishes a market-based energy efficiency scheme to encourage the efficient use of energy, reduce greenhouse gas emissions associated with stationary energy use, reduce household and business energy use and costs and, in particular, assist low income households struggling with rising electricity bills.

This scheme reflects the government's commitment to a truly sustainable Canberra and our benchmark greenhouse gas reduction targets. It is Labor legislation through and through—driving the creation of a sustainable and prosperous community, delivering real progress on the path to a low carbon economy and looking after the most vulnerable in our community at the same time.

It is a win-win initiative. It is a win for consumers who can significantly reduce their energy bills and then continue to reap the benefit of those savings long after the scheme has been completed. It is a win for the creation of a sustainable low carbon economy. And it is a win for the environment, through cost-effective and significant reductions in the ACT's greenhouse gas emissions.

Energy efficiency is a key initiative for the ACT. Electricity use comprises 63 per cent of the territory's greenhouse gas emissions—the largest single source. Tackling that problem is a logical step in any serious emissions reduction strategy. And many studies have shown that energy efficiency is the most cost-effective way to abate greenhouse gas emissions in Australia. This is reflected in the recent work of the International Energy Agency, Australia's Productivity Commission, the Garnaut review and the Prime Minister's task group on energy efficiency.

There is also much credible evidence that, despite ongoing improvements in energy efficiency, great potential remains for additional energy savings across all sectors of the economy. Studies have shown that a range of market failures prohibit the uptake of economic energy efficiency activities. These include lack of information, split incentives and a lack of access to capital to cover implementation costs, especially for low income households and small businesses. These barriers will exist even after a price on carbon is established.

Australia's industrial and residential energy prices are amongst the lowest in the developed world, and electricity prices in the ACT are acknowledged as being some of the lowest in the country. However, the ACT also maintains the unenviable position of being one of the highest per capita energy users in Australia. Not only does our inefficient use of energy result in high per capita greenhouse gas emissions, it also creates a risk for the community when faced with rising energy prices, more than 80 per cent of which are from essential network and generation investments as well as higher primary energy commodity costs.

Therefore, it is clear that, without a statutory requirement, industry will not deliver a scheme to address the market barriers that exist to improving energy efficiency in the territory's households and businesses. That is why the government's sustainable energy policy, adopted late last year, identified the implementation of an energy efficiency scheme as a priority, and this bill honours that Labor commitment.

This is further evidence that the government's comprehensive and coherent suite of sustainability policies can deliver real and effective change on the ground to reduce greenhouse gas emissions. And remember that we will adopt an overarching greenhouse gas reduction strategy through finalisation of action plan 2 this year, which will be complementary to and complemented by the soon to be finalised ACT planning strategy and transport for Canberra strategy, which the Chief Minister and I released on Monday.

Turning to the scheme itself, it is necessary but it is not radical. The ACT scheme is similar to those already successfully operating in the United Kingdom and in South Australia, Victoria and New South Wales and which is currently under consideration by the commonwealth as a national scheme. The scheme I present today is closely modelled on the successful energy efficiency scheme operating in South Australia but with improvements drawn from lessons learned from those other schemes.

Such schemes are complementary to a price on carbon and renewable energy targets, becoming, in effect, the third major pillar in the incentives framework that can drive our transition to a low carbon economy. As a market-based scheme, it provides the greatest benefits at the lowest cost. This has been acknowledged by the Prime Minister's task group on energy efficiency and expert commentators such as Professor Garnaut, the Grattan Institute and the Productivity Commission.

Members may be aware that the ACT government, through the national partnership agreement on energy efficiency, committed to the development of a nationally consistent and coordinated package of measures to advance energy efficiency outcomes. In introducing our own scheme, the government is not walking away from that commitment. However, it is clear that, even under the most favourable of circumstances, a national scheme is unlikely to commence before 2015. Therefore, it is not appropriate for the ACT to delay implementation of its own scheme on the basis of a national scheme of unknown design emerging at some point in the future. And any delay in implementation will have a knock-on effect in terms of our ability to meet our own greenhouse gas emissions reduction targets.

Given that we know low income households are least equipped to carry the burden of cost of living pressures, it would be unconscionable not to progress this scheme and so run an unacceptable risk of leaving this group of households fully exposed to rising energy prices.

The scheme has four simple objects: to encourage the efficient use of energy, to reduce greenhouse gas emissions associated with stationary energy use in the territory, to reduce household and business energy use and costs, and to increase opportunities for priority households—that is, low income households—to reduce energy use and costs.

The scheme achieves these objects by: establishing a territory-wide energy savings target and mandatory individual electricity supplier energy savings obligations covering, initially, energy savings in the residential sector; defining through regulation activities that suppliers may undertake to promote energy efficiency to reduce greenhouse gas emissions and meet their obligations under the scheme; obliging energy suppliers to undertake a specified proportion of energy activities in priority households; and imposing a penalty on suppliers who fail to meet their obligations under the scheme.

Priority households are those where an individual is a recipient of an ACT government energy concession or holds a commonwealth pensioner concession card or health care card or holds a Department of Veterans' Affairs pensioner card or similar. In straightforward terms, those who are most vulnerable to escalating electricity costs driven, for the greater part, by national policies and obligations to further invest in energy infrastructure will be those most immediately assisted.

It is important to note that the scheme will require 25 per cent of all energy savings achieved by electricity suppliers to be achieved in these priority group households. This ensures that vulnerable groups get the greatest benefit. The legislation allows for the definition of priority groups to be extended over time, and I look forward to discussing options for such extensions with the community and members who are interested to ensure a fair and comprehensive safety net.

The savings targets for suppliers will be in direct proportion to market share. The scheme provides electricity suppliers with the flexibility to choose the most cost-effective and efficient method to improve energy efficiency. Smaller suppliers can participate in the scheme either by undertaking eligible activities or by paying an energy savings contribution equal to the expected efficient cost of compliance for a large supplier. This mechanism was canvassed with suppliers during consultations in 2011 and received broad support.

I now turn to the question of what are the eligible activities. In essence, they are simple but effective ways of reducing energy use. A schedule of eligible activities will be determined by the minister through a notifiable instrument. Without pre-empting that process, it is worth indicating that such activities might include installing insulation into an uninsulated ceiling or external wall cavity; weatherproofing and air sealing a home—eg, by putting weather strippings onto a door frame, draught arrester on external doors, sealing wall vents, weather stripping windows and so forth; replacing single-glazed windows with double-glazed windows; installing new high efficiency reverse-cycle air conditioners; replacing electric water heaters with solar water heaters; the retirement of pre-1996 refrigerators; the replacement of old energy inefficient appliances like TVs, dishwashers and clothes dryers with high efficiency equivalents; and innovative behaviour change programs.

While some of these measures clearly involve substantial home improvements, people in rental accommodation can also benefit from the scheme through measures such as the upgrade or replacement of old and inefficient appliances such as fridges, televisions and dryers. The result for householders is that they will get immediate

savings on their energy bills—savings which will continue for the life of the energy efficiency measures implemented in their homes.

As in other Australian schemes, penalties will apply for each tonne of abatement a supplier falls short of their target in a given compliance period. This provides a strong incentive for electricity suppliers to undertake activities that are cheaper, on a dollar-per-tonne basis, than the penalty price. The funds raised by contributions will be reinvested in the scheme and support complementary efficiency programs for areas of the community in need. Compliance will be carefully monitored by a scheme administrator, who will report annually on the performance of the scheme. The scheme is intended to also be extended to the small business sector.

The success of this scheme will lie in its market base and through the setting by the minister of an energy savings target for the reduction in greenhouse gas emissions by the setting of a priority household target and by the determination by notifiable instrument of eligible activities. In other words, this scheme differs from other programs operating in the territory in that it imposes mandatory and measurable savings targets on electricity suppliers and because it defines the eligible activities and electricity retailers who fail to meet prescribed targets will face penalties.

A comprehensive regulatory impact statement has been prepared regarding the inclusion of, and impact on, the residential sector, and I will table this for the information of members. A further regulatory impact statement is being developed regarding the inclusion of the business sector in this scheme, and this will be provided later in 2012.

The modelling on which the scheme's expected costs and benefits are based is the same as that deployed for other energy efficiency schemes within Australia but obviously adapted to the ACT's particular circumstances. The modelling is complex and necessarily built around a number of assumptions. These assumptions have been deliberately made conservative so that the scheme's predicted outcomes are both robust and reasonable.

The interpretation of such complex analysis for the purposes of explaining the likely effects of the scheme to the community is challenging, and it is clear to me from the public commentary to date around this initiative that there has been some confusion on how the scheme will operate, who will benefit and to what extent.

Let me put it in simple terms. The scheme is voluntary; people can choose to opt in. The savings in the scheme accrue to participants in it. The modelling predicts a cumulative average net benefit across all households over the three years of its operation at approximately \$300. We know that all households will not participate and so the savings, on average, will be even higher for participating households. The savings in power bills to participants will continue to accrue long after the scheme has closed. There is a cumulative average cost across all households over the three years of the scheme of approximately \$87. This amounts to well under a dollar a week in additional costs. And remember that low income households will be protected by both the provisions in this scheme and the government's existing concessions and support measures. And, finally, this relatively minor cost will deliver a reduction of

approximately 742,000 tonnes of greenhouse gas emissions, a 6.2 per cent reduction on the territory's residential sector emissions in 2015.

It is important to emphasise that these figures, like any generated from modelling, are estimates, but they are robust, conservative and derived from a model that has been consistently used elsewhere in Australia for these schemes. They provide a compelling case in support of this scheme, as does the experience on the ground in places like South Australia, Victoria and New South Wales.

The improvement of energy efficiency through this scheme is a responsible and prudent response to addressing the impact of price increases on households, enhancing social equity and reducing greenhouse gas emissions in the territory.

I commend the bill to the Assembly and table the following papers:

Regulatory impact statement.

Energy Efficiency (Cost of Living) Improvement (Energy Savings Contribution) Determination 2012 (No 1)—Draft.

Energy Efficiency (Cost of Living) Improvement (Energy Savings Target and Emissions Factor) Determination 2012 (No 1)—Draft.

Energy Efficiency (Cost of Living) Improvement (Priority Household Target) Determination 2012 (No 1)—Draft.

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

Standing and temporary orders—adoption of temporary orders as standing orders

MS BRESNAN (Brindabella) (10.29): I move:

That the following temporary orders be adopted as standing orders:

27 Hour of meeting

69 Time limits for debates and speeches

79 Matter of Public Importance

118 Answers to questions without notice

172 Agreement in principle to be determined at a later meeting

182A Amendment to bills

213A Order for the production of documents

254A Request for explanation concerning government response to committee report.

I will speak very briefly to this; it is fairly self-explanatory, as it states on the notice paper. The temporary orders that are listed there are to be adopted as standing orders. They relate to hours of meeting, time limits for debates and speeches, matters of public importance, answers to questions without notice, agreement in principle to be determined at a later meeting, amendment to bills, order for the production of documents, and requests for “explanation concerning government response to committee report”. This is an item which has been discussed in the administration and procedure committee and I understand that all parties support it.

Question resolved in the affirmative.

Executive business—precedence

Ordered that executive business be called on.

Government Procurement Amendment Bill 2011

Debate resumed from 8 December 2011, on motion by **Mr Barr**:

That this bill be agreed to in principle.

MR SMYTH (Brindabella) (10.31): The opposition will be supporting the passage of this bill. The bill proposes a number of sensible amendments to the current policy regime dealing with procurement. The first amendment deals with a situation where there is inconsistency in the requirements for thresholds relating to the management and reporting of contracts. This issue is dealt with in clauses 4, 5, 6 and 7. At present there are multiple thresholds applying to the publishing of contracts and the threshold above which a minimum of three quotations must be sought for certain procurement. The amendment proposed in the bill will align relevant thresholds and simplify administration and reporting.

Probably of more importance is the associated change dealing with the use of regulations to update the relevant thresholds. At present the act contains, in section 25(2)(a) for example, a reference to a monetary threshold of \$20,000 as well as a provision to alter the threshold by regulation should that be necessary. It is always problematic having monetary thresholds specified in acts, as it is a relatively complex process to make a change to an act. It is much easier to keep the relative value of a threshold constant in real terms by using a regulatory power. Of course, the use of regulatory powers must be balanced by a need for transparency and openness. It is important that significant changes in law are not made by changing regulations, which may not be subject to appropriate scrutiny, at least in the first instance. In this instance, the need for a threshold is clear and the monetary value simply needs to be kept appropriate to changes caused by changes in the inflation rate.

The second amendment deals with the frequency for reporting to the public accounts committee those contracts which have had confidential text removed. We accept that extending the reporting period for reportable contracts from six to 12 months is reasonable, particularly given the availability of information on the public contracts

register. I do note the reference in the minister's presentation speech to implementing even more streamlining of these administrative processes. This is a matter which I am sure the public accounts committee will consider carefully as we see the effect of these current amendments.

The third amendment will clarify the period during which the text of a contract must remain public. At present there is an anomaly in the act relating to the period during which a notifiable contract is to remain accessible to the public. This amendment will clarify that an electronic copy of a notifiable contract will be available to the public for at least two years after the contract has ended.

There is one matter relating to the amendments that I should raise with the minister. By clause 10, a new section (2) will be added to section 38. This new section will add two definitions to this section. I note, however, that the words contained in one of these definitions, the definition of "confidential text", are not used in this section. Perhaps the minister could explain why this definition is being included at this point in the act.

There is one further procurement matter on which I wish to make some comments. Members will recall that information came to light recently about an invoice which had been submitted by a supplier and had remained unpaid for 2,043 days, or more than five years over the objective of paying bills within 30 days. In the report in the *Canberra Times* on this matter on 12 February 2012, the Treasurer is reported to have said:

... interest was not paid on the overdue bill because the company did not request compensation ...

In this regard, Mr Barr is paraphrasing section 45(1) of the Government Procurement Act 2001. I now direct Mr Barr's attention to section 45(2) of this act. Perhaps I should read it for his edification:

The Territory or the Territory entity is liable to pay the creditor a further amount by way of interest on the amount of the account that remains unpaid from time to time.

The question I have for the Treasurer—the minister who presumably understands the intricacies of the Financial Management Act as well as the Government Procurement Act, amongst others—is this: when will the government comply with section 45(2) in relation to the invoice that was outstanding? It is quite clear that, while subsection (1) requires the creditor to make a request before any action can follow, subsection (2) places no such requirement on the creditor. On the contrary, the requirement for action is indeed placed on the territory.

I assume that Mr Barr and his directorate have determined the amount that is due to the creditor. I would be interested to know what the quantum of this payment is, as I have not attempted to work through the rules of the Supreme Court to work out the amount. I would also be interested to know when the payment either has been or will be made to the creditor.

I need to make one further comment in response to a comment made by the minister when he presented this bill. In talking about the publication of the text of contracts, the minister said that this action proves “the government’s commitment to openness and transparency”. I would remind the minister that this action does nothing of the sort. The publication of this information may establish or demonstrate the government’s commitment to openness and transparency, but it certainly does not prove the case. There are many instances where this Labor government has acted precisely to protect information which should have been in the public domain but which we in opposition have either had to request through the FOI process or sought by other means. We are still waiting, for example, for the secret Costello report to be released for public information and discussion.

Mr Speaker, with these comments, the opposition will be supporting the bill.

MS LE COUTEUR (Molonglo) (10.37): The Greens will also be supporting this bill. As Mr Smyth said, it makes some minor amendments to the Government Procurement Act. Firstly, the threshold values of contracts are to be something to be prescribed by regulation. This seems a sensible thing to do. In the public accounts committee we did a long inquiry on procurement. That is effectively recommendation 2 implemented, so that is a positive. The other thing is about reducing the frequency of contracts reporting to the Legislative Assembly. I am quite happy not to do as many 246A statements on behalf of PAC; I think that is a quite sensible thing.

I am, however, a little disappointed. PAC made, I think, 25 recommendations in a year-and-a-half-long inquiry into procurement. There were quite a few more things which the government could and should have acted on. I will not go through all 25 but I will just highlight a few. Recommendation 8 says:

The Committee recommends that ACT Procurement Solutions engage specifically with representatives of micro, small and medium sized businesses to refine procurement processes to ensure that they are accessible to that sector.

After yesterday’s motion about family businesses, and appreciating that not all family businesses are small businesses, given the sentiments expressed there, it would have been good for the government to be able to say that they have looked at how they can make their procurement work well for small and medium-sized businesses.

I will quickly go on. There is a whole series of recommendations which talk about looking at triple bottom line impacts and sustainability issues. Recommendation 18 says:

The Committee recommends that explicit reference to sustainability, expressed in terms similar to those used in section 11 of the *Financial Management Act 1996*, be included in section 22A of the *Government Procurement Act 2001* as matters which must be considered in pursuing “...the best value for money” objective.

As a Green who is committed to sustainability, I am disappointed that, as the government is now updating the procurement act, it did not look at all the things that

were recommended by the public accounts committee. The public accounts committee spent a lot of time and effort on procurement at the beginning of this Assembly's term. As everyone is aware, the committees are tripartisan committees, and this recommendation expressed the considered views of all three parties. It is very disappointing that the government has chosen not to take it up.

There are other points. Recommendation 20 also recommends an amendment to the procurement act on the basis of social procurement. It is disappointing that the government, while making these quite reasonable minor improvements to the procurement act, has not gone further, looked at the broader implications of government procurement, and followed up some of the recommendations from the public accounts committee's quite extensive inquiry into government procurement.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation) (10.41), in reply: The amendments to the Government Procurement Act 2001 that are proposed by this amendment bill will improve efficiency by streamlining ACT government procurement activities, and contribute to open government. They represent a reduction in red tape for ACT businesses in dealing with the territory government.

The amendments in the bill will clarify the mechanism for setting the notifiable contracts threshold; amend the reporting requirements to the PAC on reportable contracts to once a year, from every six months; and fix an inconsistency in the act in relation to how long a notifiable contract must be publicly accessible.

The government foreshadowed that it would raise the threshold for notifying contracts in its response to PAC report 13, *Inquiry into ACT government procurement*. To make future changes to the threshold quicker and easier, the bill will amend the procurement act so that the threshold will be set by regulation. Removing the current default threshold stated in the act will prevent any opportunity for confusion that could arise from having different thresholds in the act and in the regulations. This simple change will make the process of notifying ACT government contracts more efficient.

An amendment to Government Procurement Regulation 2007 will be notified within a week and will commence when this amendment to the procurement act comes into effect.

The second amendment in this bill will streamline the reporting of "reportable contracts", which under the procurement act are notifiable contracts that have had confidential text removed. Currently the act requires the government to provide the public accounts committee with a report on reportable contracts every six months. This bill amends the reporting period to every 12 months. This will reduce administrative processes whilst maintaining transparency of government contracting. It will continue to offer the committee the opportunity to scrutinise contracts. And as members would know, the public text of these contracts is available for perusal at any time from the contracts register on the Shared Services procurement website.

The third amendment in this bill corrects an inconsistency in the procurement act. The act currently has one section stating that public text needs to be publicly available for

two years, while another section states that the public text of a contract only needs to be accessible until the contract ends. The bill corrects this inconsistency in favour of openness and transparency. It clarifies that the public text of notifiable contracts will be publicly accessible for at least two years after the contract ends.

Although these are three small adjustments to the procurement act, they will contribute to a more efficient and transparent government. They provide for a reduction in red tape, provide for greater administrative transparency and contribute to greater openness and transparency around public contracts.

I thank members for their support of the bill.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sub judice rule

Question by minister

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development): Mr Speaker, I seek your indulgence to ask you a question in relation to the application of continuing resolution 10.

MR SPEAKER: Yes, Mr Corbell.

MR CORBELL: Thank you, Mr Speaker. Yesterday in debate on the question of the motion put forward by Ms Porter around the Pace egg farm a number of comments were made by Mr Seselja and also by Mr Hanson that referred to a matter that is currently before the ACT Magistrates Court and has been remitted to the ACT Supreme Court for sentence. That was in relation to the matters that are currently before the court in relation to charges for damaging commonwealth property at the CSIRO research facility in north Canberra. I rise to seek your guidance, Mr Speaker—and it may be a question that you will need to take some advice on—in relation to the comments made by Mr Seselja and Mr Hanson and the application of the sub judice rule.

Mr Speaker, I draw to your attention that continuing resolution 10 of the Assembly requires that cases in which proceedings are active in the court shall not be referred to in any motion, debate or question. It goes on to clarify that criminal proceedings are active when a charge has been made or a summons to appear has been issued, and that criminal proceedings cease to be active when they are concluded by verdict and sentence or discontinuance. It then goes on to talk about other unrelated matters.

Mr Speaker, this is currently still before courts in the territory. It is a matter which I understand is subject to a sentencing decision yet to be made by the ACT Magistrates

Court. I draw your attention to the fact that Mr Seselja in his comments in the debate yesterday made claims about the actions of the two people who have pleaded guilty in relation to these matters, claiming, amongst other things, that their actions were about attacking scientists or attacking property, destroying property, intimidating workers, intimidating business owners and intimidating scientists. He went on to make a range of other comments that also referred to the court matter directly. Mr Hanson in similar comments made reference to what occurred at the CSIRO. He made claims about vandalism. He made claims about the value of the property damage and he made claims about the traumatisation of staff at the facility.

Mr Speaker, these are direct references to a matter that is currently in active consideration before the courts. I note that the Assembly has, by continuing resolution of 6 March 2008, agreed that cases in which proceedings are active in the courts shall not be referred to in any motion, debate or question. On the face of it, it would appear to me that Mr Seselja and Mr Hanson have referred to those matters and that therefore there is a question about whether or not Mr Seselja's and Mr Hanson's questions contravene the provisions of continuing resolution 10. I seek your advice, and would welcome your advice perhaps at a later date, on these matters.

MRS DUNNE (Ginninderra): With your indulgence, Mr Speaker, on this subject.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: In seeking your advice I would draw your attention to the first paragraph that says that any matter relating to this is subject to the discretion of the chair and to the right of the Assembly to legislate on any matter or to discuss any matter. This matter was not raised yesterday when Mr Seselja was speaking and it was not raised when Mr Hanson was speaking.

MR SPEAKER: Thank you, Mrs Dunne. I take that on board as well. I think, members, the most appropriate path would be for me to consider this over some time and to look at the precedents, particularly in light of the matters that Mrs Dunne has just raised. I will do so. I will review the *Hansard* and I will also seek advice from the Clerk on precedents. I will report back to the Assembly at a later time. Perhaps I will leave it at that at this point and just assess how long it takes to check through this. Is that satisfactory, Mr Corbell?

Mr Corbell: Yes, thank you, Mr Speaker.

Emergencies (Commissioner Directions) Amendment Bill 2012

Debate resumed from 23 February 2012, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR SMYTH (Brindabella) (10.49): The opposition will be supporting this bill. In giving our support, however, I do need to make some comments on some of the provisions in this bill, and I do thank the minister's office for providing some very helpful advice on the bill.

On the surface, this is a very simple matter. It is to give the commissioner the express power to direct chief officers during an emergency when that event does not warrant being classified as a state of emergency or having an emergency controller appointed. I note the advantage to the ACT in our having a single act dealing with the provision of emergency services. As the minister alludes in his presentation speech, other jurisdictions in Australia typically have a range of acts dealing with emergency services. This is a legacy of the evolution of the legislative regimes. It can lead to unnecessary complexities, as seen in the comments made by the minister. Indeed, this multitude of legislation can create confusion. The ACT has the benefit of being a late starter in that regard in developing emergency services legislation and we see that in having a single act.

I will now turn to some of the provisions in this bill. As I have already noted, the opposition will be supporting the bill. At the same time, however, I want to note various provisions in the current act which relate to collaboration between our four emergency services. I note, for example, that the objectives in section 3 include providing for “cohesive management by the commissioner of the four services”. This appears to give the commissioner the capacity to require the services to collaborate. I also note section 37, which provides for “joint operational activities”. This appears to require each chief officer to be prepared to collaborate with the other services as necessary.

I note section 41, in relation to the Ambulance Service, and equivalent provisions for the other three services, specifying that an additional function for each service is “to undertake assistance operations to support other entities in the exercise of their functions”. Again, these provisions require collaboration between the services as this might be necessary. The fact that we now need to specify provisions to give the commissioner the power to direct a chief officer does seem to be perhaps overkill. Alternatively, there could be an opportunity to rationalise the various provisions in the current act which already deal with collaboration between the services.

I now turn to clause 4, which identifies a range of characteristics which are required of a person who is being considered for appointment as commissioner. I find this inclusion surprising. How have we selected our commissioners to this point? What qualities have we sought in the people who have been appointed as commissioner? The management of emergency services in the ACT has been quite successful to this point with the existing provisions in the act. I assume that appropriately qualified people have been appointed as commissioner on the basis of the objectives set out in section 3 and the range of functions for the commissioner which are set out in section 8. I also note that the words in proposed section 7(2) are identical to those already in the act and applying to each of the four chief officers. I repeat that I am therefore surprised that the government has seen it necessary to add this new section to the act.

There are also some other matters that I want to mention, as we seek to achieve the highest standards in our legislation. Paragraph 2 in the explanatory statement explaining clause 7 contains an errant “that”. I understand that the word should be “the” and with a “the” the paragraph actually makes sense.

The description of this bill varies, depending on which document you read. The bill and the explanatory statement have, at various places, Emergencies (Commissioner Directions) Amendment Bill 2012, whereas the presentation speech has Emergencies (Commissioner's Directions) Bill 2012, indicating that it would be a new act. Unfortunately, the explanatory statement overview then has the Emergencies (Commissioners Directions) Bill without any date. There is also an absence of a number of apostrophes through the statement. I regret the poor quality control which I see in these formal documents. I trust that the minister will seek to improve this in future. With those comments, the opposition will be supporting the bill.

MR RATTENBURY (Molonglo) (10.54): The Greens will be supporting this bill also. It reduces the possibility for a siloed and uncoordinated response to an emergency, which is something certainly worthy of support. Ultimately, the changes will put the ACT in a stronger position in the future if and when emergencies develop. The attorney has described how the improvements have been identified following recent Australian disasters in Victoria and Queensland. These disasters, of course, involved both fire and flood, but the lessons learnt have been similar and have pointed to the need for centralised operational control when a particular emergency requires the response of more than one of the four emergency units.

In the ACT we have a chief officer for each of the four key response units: the Ambulance Service, the Fire Brigade, the Rural Fire Service and the SES. For most of the emergencies that develop a response from only one of the units will be required. In these times the relevant chief officers will have full control and decision-making responsibility. At the other end of the scale is a declared state of emergency where an emergency controller is appointed and has the power to direct the movement of people and infrastructure.

In between these two extremes there is the potential for an emergency that is not so serious as to require a declaration of a state of emergency, but will still require attendance by two or more units. It is this scenario that the bill caters for. The bill will give the Emergency Services Commissioner clear power to require a chief officer to undertake response or recovery action. This power does not currently exist, which leaves open the possibility for a siloed and uncoordinated response. The amendments reduce that possibility by vesting the ultimate power to muster and direct resources with the ESA commissioner. On that note, and in conclusion, the Greens support the bill.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (10.56), in reply: I thank members for their support of this important bill. I would like to take the opportunity to illustrate why this bill is needed and why the government has identified the requirement to provide the Emergency Services Commissioner with the necessary authority to give directions to the chief officers of the emergency services.

Firstly, I need to emphasise that this bill did not result from any occurrence or deficiencies of the emergency services. The territory has, and continues to be, served with a high level of skill and professionalism by its emergency services and its

operational leaders, a fact clearly borne out in the response by the ACT SES, Fire and Rescue and Rural Fire Service to the recent extreme weather events we have experienced here and in the surrounding region. The response to this incident, which also included considerable support by other territory agencies such as TAMS, clearly demonstrated the ability of the territory to work together in a cohesive and effective manner to support and assist the community in times of need.

The bill, however, provides for the strengthening of the ACT statutory arrangements to ensure that we are at the forefront of emergency management nationally for high level control and coordination. Emergencies by definition produce adverse consequences. These may be on the community, government business or infrastructure. While I and no-one else in this Assembly desire these outcomes, the government continues to recognise the critical need to plan for those events and their effect on our community. As part of this planning, it is vital that the territory and its emergency services have the necessary means at their disposal to effectively manage any emergency.

The need for this bill was highlighted following a detailed consideration of the findings and lessons learned following recent disasters in Australia, including the 2009 Victorian bushfires, the 2010-11 Victorian floods, the 2011 Queensland floods and the 2011 Perth Hills bushfires, as well as consideration of contemporary emergency legislation across Australia.

A common theme is established through these reports, specifically the need for unambiguous and robust arrangements for high level control during significant emergencies and the recognition that the provision of effective and efficient coordination between emergency services before, during and after significant emergencies is a fundamental and critical component of any emergency response.

While much of the focus is quite rightly on the front-line capability of the services, equally the statutory and administrative arrangements by which agencies come together to manage emergencies is critical. This conclusion is borne out in many of the recent inquiries which I have just referred to.

In fact, many of the recommendations of these inquiries focus specifically on these matters, including the lines of control and command, points of accountability during emergencies, the coordination of resources across government and the provision of timely and accurate public information.

This bill derives from this context and these considerations. While the territory's arrangements for a declared state of emergency are clearly established, and consistent with contemporary legislation elsewhere, the government has identified a gap in express provision in the act for high level control and a coordination across the four emergency services during an emergency with a high level of complexity or sensitivity, but short of the need to appoint an emergency controller. This bill addresses that gap by providing the Emergency Services Commissioner with the authority to give direction to chief officers of the emergency services.

The amendment is also in keeping with the commissioner's existing statutory functions that are already established in the act; that is, giving the emergency services a strong, cohesive, strategic and operational direction, ensuring delivery of high quality and effective service to the community by each of the emergency services, and improving the operational effectiveness and flexibility of the emergency services.

The new power clarifies the ability for the commissioner to achieve these functions, particularly in an emergency context where the need for immediate and unambiguous decision making is required. An example of where this could be required is a bushfire impacting upon both the urban and rural areas of the territory. In these circumstances it is critical that a single point of control is established and maintained, a key point identified in previous reports into bushfires.

With this amendment there is no ambiguity in the role of the commissioner to nominate a single point of control to ensure the effective and efficient coordination of resources if this has not otherwise been agreed between the respective chief officers.

Likewise, Mr Speaker, if an incident occurred that required the provision of supporting agencies or services to assist in responding to an incident—for example, through the provision of public information—the commissioner may direct a chief officer to establish arrangements for the provision of this support.

Importantly, the bill establishes that this authority will only apply to emergencies as defined in the act—that is, actual or imminent events that require a significant and coordinated response—where the scale and complexity of the emergency is or is likely to be significant and may exceed the traditional scope of one or more emergency service.

In addition, the giving of a direction by the commissioner recognises the powers of the chief officers that already exist under the act and does not conflict with these existing powers. The bill does not allow the commissioner to require a chief officer to undertake an operation in a particular way. As such, it remains with the chief officer or his or her delegate to direct resources and capability to respond to the emergency.

The bill I am introducing today addresses the identified benefits of centralised coordination of emergency services and bolsters the ACT's enhanced operability of resources to provide the Canberra community with a strengthened and effective multi-agency response to future emergency events.

Again, I would like to thank members for their support of the bill and I would also like to express my thanks to the officers of the Justice and Community Safety Directorate and the commissioner and chief officers of the ESA for their advice and assistance in bringing these amendments to a satisfactory conclusion.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 11.03 am to 2 pm.

Questions without notice

ACT election campaign—communications

MR SESELJA: My question is to the Chief Minister and relates to communication between the government and the public service during the last election campaign. Minister, on 25 September 2008 at 9.51 pm there was an email sent to the ACT Labor campaign director, the head of the Treasury Department and various ministers' staff and ALP staff. The email discusses a draft Labor Party campaign announcement. Minister, is it appropriate for any email to include the Labor Party campaign director and the head of ACT Treasury in the middle of an election campaign?

MS GALLAGHER: I do not know what email the Leader of the Opposition is referring to and I would be happy to have a look at it before I answer the question.

MR SPEAKER: Supplementary, Mr Seselja.

MR SESELJA: Thank you. Minister, was Treasury used by the Labor Party during the 2008 election campaign to do its work?

MS GALLAGHER: No.

MR SPEAKER: Mr Smyth, a supplementary.

MR SMYTH: Thank you, Mr Speaker. Minister, how can the public have confidence that there is a suitable separation between the Labor Party and the public service?

MS GALLAGHER: Again, if the Leader of the Opposition has an email that can assist us with this discussion, I would please ask that he table that email now so that we can actually understand the information that the Leader of the Opposition has. That would assist the discussions perhaps at this point.

But from my point of view, as Chief Minister I have made clear my expectations of my team and the role of the public service. There are very clear separations between what is party political and those matters which cover the public service in terms of the operations that they do to support the executive.

I have been very clear about that in my meetings within the cabinet and with directors-general of the public service. The ACT community should have trust in that.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Chief Minister, were the hardworking, independent public servants of the ACT public service compromised by these requests in this email?

MS GALLAGHER: I have no idea. I would now like to call on the opposition to table the email. In fact, I will happily move a motion that seeks for them to do just that, or Mr Seselja can table the email now. That would assist, I think, with the questions, particularly if I am going to get more questions on this today. I think it would benefit all members in this place if that document was produced and tabled.

Housing—homelessness

MS HUNTER: My question is to the Minister for Community Services and relates to the recent reforms in the youth housing and homelessness sector. Minister, were you made aware of concerns repeatedly raised during the consultation period in 2011 by many specialist youth housing workers regarding the new cluster house model of crisis accommodation and group house supported accommodation? If so, what concerns were you made aware of?

MS BURCH: I thank Ms Hunter for her interest in youth homelessness. This again has been an area of reform and recent procurement and it is my understanding that the new arrangements will be in place towards the end of this month, early next month. This was a broad-ranging discussion that had discussion papers and many a meeting across the community sector. I am not aware of any particular or specific concerns raised other than there were some providers that as change comes into place were just a little bit anxious about what this would look like and were seeking assurance that there would be no reduction in the resource allocated to this and no reductions in beds. And that has certainly been the case: there have been no reductions in the dollars or the number of beds.

The emergency accommodation network has been awarded to a well-regarded organisation here. It is my understanding that there are clusters on the north side and on the south side—I think there are three houses in each cluster, on the north and the south—and they are quite close together. They are certainly provided with 24/7 staff on site and there are strong connections between the two.

If there are concerns that Ms Hunter has, I am quite happy to have a conversation about them and explore them, but nothing in particular has been raised with me.

MR SPEAKER: A supplementary, Ms Hunter.

MS HUNTER: Minister, what research and evidence motivated this move to new models and led to the disregarding of the views of many specialist youth housing workers who did raise concerns about these models?

MS BURCH: I do not have the list of research in front of me but I am sure it would still be available on the CSD website, as would be the discussion paper and the references to that. I refute in a way that statement that opinions were discarded. Opinions are not discarded. They all come into the mix about how do we structure this new program.

I think there are six or seven key thrusts regarding this care. One is a housing support service. One is crisis mediation. There is the emergency accommodation network, which you have just asked about. There is a friendly landlord service, a youth identified accommodation and support program, a mentoring life skills and social enterprise service and a parent accommodation support program.

As I looked through the list of who were providing these services, these are well-regarded, well-connected services, and I have confidence that the youth homelessness sector here in the ACT will continue to provide the quite critical services and the networks and referrals on to make sure that these young people are afforded the opportunity, in many ways—I will use the adage—of getting their life in order and are moved on to sustainable tenancies.

MS BRESNAN: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, what risk assessments and safety analysis have been undertaken on this previously unknown cluster house model, considering there will not be 24-hour supervision provided in all of the houses?

MS BURCH: It is my understanding there is 24-hour on-site staffing. I am not clear whether that is on each property, but there are certainly video links between the properties, and they are very, very close together. It is my understanding that this model has been worked through with the sector and the provider, which is the Salvation Army through the Canberra Youth Refuge. It is a well-regarded, well-experienced service provider.

MS LE COUTEUR: Supplementary.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, will you guarantee the future safety of the young people and staff who will live and work in these houses?

MS BURCH: What I will guarantee is that we will work very closely with these providers. These providers are Barnardos, the Ted Noffs Foundation, St Vincent de Paul, the Salvation Army, CatholicCare and the Conflict Resolution Service. These are well-regarded, well-thought-of services with many decades of expertise within them. If there are concerns for safety, I have not heard of them. If you have heard of them, I would ask that your office approach me directly rather than through a question time question, because it implies that these services are not putting their minds to care and attention, and I believe that they are.

ACT election campaign—communications

MR SMYTH: My question is to the Chief Minister and relates to communications between the government and the public service during the last election. Chief Minister,

at 4 pm on 16 September 2008 a ministerial staffer sent an email marked “urgent” to the Treasury asking for Treasury to vet and potentially change an announcement on Indigenous affairs. Minister, are you satisfied that this communication would not erode public confidence in the separation of the Labor Party campaign and the public service during the election period?

MS GALLAGHER: Mr Speaker, it appears this is going to continue, so I think it might be best now if we move a motion calling on the opposition to table the documents that they are referring to.

Mr Smyth: They are in the public realm.

MS GALLAGHER: If they are in the public realm, there ought to be no problem with you tabling them right now; great. I seek leave to move a motion calling on the opposition to table the emails that they are referring to, so that we can actually have a mature discussion on this.

Leave not granted.

Standing and temporary orders—suspension

MR HARGREAVES (Brindabella) (2.09): I move:

That so much of the standing orders be suspended as would prevent Ms Gallagher moving a motion requiring the Opposition to table documents that were referred to in questions to the Chief Minister.

Those opposite quite clearly are seeking to deny the opportunity to those on this side of the house to employ the same processes that they themselves employed in recent times. This is all about seeking leave of the Assembly to move a motion to require a part or a segment of this chamber to table information and to table documents to which they are referring. Those opposite did exactly the same thing to Minister Bourke in recent times, and it is only fair that this chamber afford the Chief Minister the same privilege.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (2.10): It is quite extraordinary that the opposition are claiming that this is such an important matter, but they are unable to actually put the document on the table and demonstrate that there is some veracity to the claims they are making in question time today. They have refused leave, Mr Speaker—

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

MR SPEAKER: Stop the clock, thank you.

Mrs Dunne: We are debating the suspension of standing orders, not the question about whether or not the document should be tabled. Mr Corbell should concentrate on why standing orders should be suspended.

MR SPEAKER: Thank you. Mr Corbell.

MR CORBELL: Of course, we are in this situation because the Liberals have refused leave for the Chief Minister to move such a motion. The question has to be asked: why? Why are they not prepared to have a motion requiring them to table these documents that they are referring to in question time moved forthwith? You would have thought that in question time they would come down ready to go and that they would actually have a copy of the document—the document that they are asking these so-called pressing questions about. You would have thought they could have just stood up and said, “Here it is.”

Opposition members interjecting—

MR SPEAKER: Order! One moment, Mr Corbell. Stop the clocks. Members of the opposition, I note that you declined to take an opportunity to speak when you had your turn briefly before Mr Corbell. You will have a chance again in a moment. I do not expect you to keep interjecting while Mr Corbell is speaking.

MR CORBELL: Instead, Mr Speaker, we get this banal suggestion that it is in a freedom of information request. I am sure the opposition appreciate that there are many tens of thousands of emails that circulate through the government every day, yet apparently we are meant to know about the nature of this particular email somehow magically, somehow through some sort of third sense, Mr Speaker.

Why are they not prepared to table it? Why are they not prepared just to say, “This is the document we are referring to,” to allow the Chief Minister to give a comprehensive answer and a considered answer to the questions they are raising? It really does cast a lot of doubt on the credibility of their line of questioning. Then they block an attempt to move a motion to require them to table that document.

We heard all the pontificating the other day when Mr Smyth moved the motion requiring the minister for education to table a particular document. We heard all the pontificating from them then but they are not prepared to be held to the same standard in this place.

MR SESELJA (Molonglo—Leader of the Opposition) (2.13): I am happy to table the email. I just would note that in Mr Corbell’s contribution he said that it was terrible because they are pushing us to table the document. And what were they doing? They were refusing until they saw the writing on the wall in terms of which way the numbers were going to go. So I am happy to table the document.

Members interjecting—

MR SPEAKER: Order! One moment, thank you. First off, Mr Seselja needs leave to table his documents. Is leave granted?

Leave granted.

MR SPEAKER: I thought it might be.

MR SESELJA: I table the following paper:

Indigenous teachers, grandparents, trainees and rising leaders—Copy of email to Neil Bulless from Jess Wurf, Media Adviser to Jon Stanhope MLA, including an attachment, dated 16 September 2008.

Mr Hargreaves: Point of order, Mr Speaker. My motion to suspend standing orders also was intended to include the request for Mr Smyth to table the document that he referred to—not just one, Mr Speaker. We can see a series coming up. The intention of the motion to suspend standing orders was to encompass all of that. If they will do that, we are quite happy about that and it may not be necessary to proceed.

Mr Seselja: I have just tabled the one that was asked for, which is the one that Mr Smyth was referring to.

MR SPEAKER: Okay. I will be careful here. Mr Seselja, are you also tabling the one that you were referring to, because I gather there have been two.

Mr Seselja: There has.

MR SPEAKER: Just for the clarity of the house—

Mr Seselja: I do not believe I was asked to—

Ms Gallagher: Yes, I asked you.

Mr Corbell: Yes, the Chief Minister asked you to.

Mr Seselja: To table the one from previous—

Mr Corbell: Yes, she did.

Mr Seselja: I am happy to table it, but there are a couple of documents here; so I will table it.

Government members interjecting—

MR SPEAKER: Order, members!

Mr Seselja: Sorry, could I just seek clarification? If we table that, will the Chief Minister now give a fresh answer to that question in relation to that matter?

Members interjecting—

MR SPEAKER: Thank you, members. Order, members! Mr Hanson, Mr Corbell, thank you. Where we are up to is that the document that Mr Smyth was referring to is being tabled. That, I understand, is where it is up to. Mr Hargreaves, would you like to seek leave to withdraw your motion to suspend standing orders?

Mr Hargreaves: Not until such time as Mr Seselja has tabled his document, Mr Speaker.

Mr Smyth: Put a new motion.

Mr Hargreaves: I was going to bring a motion, Mr Speaker, but they would not allow the motion to go forward.

MR SPEAKER: Thank you, Mr Hargreaves. So where we are at, members, is we are still on the question that standing orders be suspended.

Mr Hanson: I seek your guidance, Mr Speaker. During the debate on the suspension of standing orders, the manager of government business, Mr Corbell, made the point that should the documents be tabled, the Chief Minister would then give a full and comprehensive answer to the questions asked. So I seek guidance as to what that means with regard to question time—that is, whether the Chief Minister, who is now in receipt of the documents, will provide the comprehensive answer that Mr Corbell assured the house that she would provide.

MR SPEAKER: Just one moment, members.

Mr Smyth: I still desire an answer to my question, Mr Speaker.

MR SPEAKER: I was confused. Mr Hanson, I thought you were referring to Mr Seselja's question, not Mr Smyth's question. At this point, we are still debating the question of whether standing orders be suspended. When that matter is resolved, we will then be returning to Mr Smyth's question to Ms Gallagher, which, at this point, I do not believe has been fully answered. There is time remaining for the Chief Minister to further answer the question. That is my understanding of where we are up to. So, the current question is: does the Assembly wish—

Members interjecting—

MR SPEAKER: Thank you, members. Please work with me here, members; it is a little bit confusing. The current question is that standing orders be suspended. Does anybody else wish to speak?

Mr Coe interjecting—

MR SPEAKER: Order! Mr Coe, I have asked you three times now today. You are pushing your luck.

MR HARGREAVES (Brindabella) (2.18), in reply: Ordinarily I would close debate. However, I would indicate to the chamber that the original request from the Chief Minister was to the Leader of the Opposition to table a document. The attempt to move a motion to have both documents tabled was one that did not receive leave to be moved. That is the basis of the suspension of standing orders motion; it centres around two documents.

If the Leader of the Opposition seeks leave to table within 10 minutes the document that he was talking about, I will seek leave to withdraw that suspension of standing orders motion.

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

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health and Minister for Territory and Municipal Services) (2.19): I move:

That the Opposition table all emails and documents relating to question time today.

Mr Smyth interjecting—

Mr Coe interjecting—

MR SPEAKER: Thank you!

MS GALLAGHER: I thought we might encapture all of you while we are going, rather than doing this one at a time. That might be the easiest way to encompass everything.

Mr Coe: Open government.

MS GALLAGHER: Exactly, Mr Coe. Thank you. Open opposition; how about that—a new test? Open government is all right until it is applied to the other side, isn't it? And we have seen that in the last week or so.

Opposition members interjecting—

MR SPEAKER: Order, members! Ms Gallagher has the call.

Mr Coe interjecting—

MR SPEAKER: Mr Coe!

MS GALLAGHER: Mr Speaker, I will not take up too much time. I do not think I need to. The point I want to make by this is that the Liberal Party seem to be on track to ask me a number of questions today pertaining to material that I do not have, that I have probably never seen, and they are asking me to answer questions on that. I think I am entirely within my rights to ask for a copy of that information before I provide, and am in a position to provide, a response. As members would know, I was not the Chief Minister in 2008. I was not the Treasurer in 2008.

Mr Hanson: Oh, backing away.

MS GALLAGHER: No, not at all. The email that I have received, that has been tabled from Mr Smyth, seems entirely reasonable to me around checking some

costings in a press release. Indeed I will just remind members that it is me that has actually put legislation together to govern the arrangements around caretaker and election costings—not based on this but based on some of the problems—

Opposition members interjecting—

MR SPEAKER: Thank you, members!

Opposition members interjecting—

MR SPEAKER: Order!

MS GALLAGHER: that we had with the opposition in the last election. But indeed nothing I have seen—

Mr Hanson interjecting—

MR SPEAKER: Ms Gallagher, one moment, thank you. Members, you will have a chance to speak in this motion. I am tiring of interjections and I will start warning people shortly if we do not get a quieter debate.

MS GALLAGHER: On the surface of the material that has been tabled by Mr Smyth, it is merely asking to check some costings. It is not asking for the public service to write the policy or indeed comment on the policy; it was to check on some costings. As I understand it, that is not an unusual request, but I wait to see the other documents that may assist question time today.

I do not want to take up too much time with this. I think the Leader of the Opposition should just do the right thing and table the documents and then we will be in a position to have a mature discussion—not one where the Liberal Party choose to execute this as they see fit, dropping in and out bits of information that put me on the back foot where I am not in a position to be able to respond adequately.

MR SESELJA (Molonglo—Leader of the Opposition) (2.22): It is very difficult to agree to this motion because it is so broad. What the Chief Minister is now saying is that any document associated with question time will have to be tabled. I guess we could broaden that out and do it for the crossbench and the government, that every document that is brought down here in relation to question time should have to be tabled. It is ridiculous.

I am happy to table the email in relation to the questions that have been asked. But we will not be supporting a motion that calls on every opposition member to table every document associated with question time. We would then have to counter with a motion that the Greens and the Labor Party table every document.

That is our position on this motion. This motion cannot be supported but I am happy to table the relevant emails in relation to questions.

MR SMYTH (Brindabella) (2.23): I hope the Greens are reading this motion, because it means that they will now—if this is applied equally to the Greens, you will have to

table all of your questions, as printed, before you ask them. Questions without notice will now just be questions that are given to the government before the questions are even asked.

If you read this, you will see that it says that we table all emails and documents relating to question time today. Does that include all the emails between members of staff? Does it include all the emails between the MLAs as they worked out what questions were being asked today? Does it include all the FOI documents that we might have drawn upon to table today? If there is an FOI then the staff can start preparing the FOI, all the supporting documents, all the emails between members, all the printed questions that we have—because that is covered here. The Chief Minister wants us to table all of the documents relating to question time today before question time is over.

This is a ridiculous motion. This motion undermines the notion of questions without notice because the Chief Minister is not able to cope. This motion should not be supported today, because what it does is set a precedent that question time will simply become a mockery. What it means is that democracy, the new era of openness and accountability—according to Katy Gallagher, you have to put all your cards on the table before we start the game. That is how the Chief Minister wants to play—

Members interjecting—

MR SMYTH: Why don't we amend this—that all members—

Members interjecting—

MR SPEAKER: Order! Members, I am hearing some rather unparliamentary interjections across the chamber. Let us just lift the standard, thank you.

MR SMYTH: Perhaps we should amend it so that all members table all emails and documents relating to question time today. If the Chief Minister wants to accept this standard, they can now table their dixer and the speeches that the ministers have—and all the emails between their offices and the officials in the departments. We will then get the rough drafts of all of the cheat sheets that have been put together. We will then, in this new era of openness and accountability that the Chief Minister seeks to enforce, get all of the documents from the government for their two questions and all the documents they have in front of them relating to question time today.

The Greens will be forced to do the same. So all of your emails, emails between yourselves and between your staff, all of the questions that you have got written down there ready to ask, will be put on the table before we start.

This is not how question time works. It is a poorly considered motion from a Chief Minister who does not understand parliamentary practice, who is scrabbling to answer questions that she clearly has no grasp of. The motion should be defeated.

MS BRESNAN (Brindabella) (2.26): The Greens will not support this motion as it stands. We would be willing to support it if it was amended to say that it specifically

refers to the emails that have been discussed. But as we have discussed a number of times in this chamber, the government, the opposition or the crossbench should not have to table private notes or the like. As I said, we would be willing to support it if it was amended to say that it specifically related to the emails being discussed. But as it stands, I do actually agree with what Mr Smyth said. We should not be asking people to table emails and documents because I think we would get into a very difficult situation if that occurs.

MR HANSON (Molonglo) (2.26): I stand to speak in defence of the Chief Minister, because it is quite clear that what she wanted were some specific documents which, in fact, Mr Seselja has already tabled. She is obviously confused. What we are seeing is a case of sloppy drafting, a lack of attention to detail and a poorly considered motion. I think that the Chief Minister's intent here was to have those specific documents tabled, which Mr Seselja has already tabled some five or 10 minutes ago. I think that she should be excused. Perhaps she would like to be invited to recast the motion, noting that they have already been tabled, and that we just acknowledge, as an Assembly, that this was not some ridiculous notion to change the whole parameters of democracy in the ACT and that she wants every document tabled in question time.

I am sure that was not her intent. I speak in her defence that she was not doing something so stupid, so naive and so cumbersome—that she was not trying to do that. I do not think that she is that stupid. I am speaking in her defence. I think this is just a lack of attention to detail. It was sloppy drafting. I do not think that we should be so unkind as to accuse the Chief Minister of something quite so stupid as to have asked for all documents to be tabled in that regard. Perhaps it would be wise if she were to recast the motion.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (2.28): Listening to those opposite, Gary Humphries would be proud. The straw man has been constructed and then has been knocked over in due course. That is exactly what we have heard from the Liberal Party today. They know what the Chief Minister is asking for. She is asking for documents.

Opposition members interjecting—

MR SPEAKER: Order, members!

MR CORBELL: They know what the Chief Minister is referring to. The Chief Minister—

Opposition members interjecting—

MR SPEAKER: Mr Corbell, one moment, thank you. Members, I have asked for restraint on the interjections. Mr Coe, I have just heard you interjecting again. So you are now warned. The offer remains to other members to join that list. Mr Corbell, you have the floor.

MR CORBELL: Thank you, Mr Speaker. They know what the Chief Minister is asking for. The real question that has to be asked is: why did they not just cough them

up in the first place? Why have we had to go through this absurd process to get them to do a simple thing like tabling an email that they are asking about in question time?

Mr Hanson interjecting—

MR SPEAKER: Mr Hanson, you are now warned.

MR CORBELL: Why is that so hard? Why is that so difficult? Why is that a process that requires a motion on the floor of this place to extract it from them? That really is the question that they have to answer.

We know how the Liberal Party approach these issues. They have been taught, of course, by that master of debate in this place when it comes to these sorts of issues, the former Chief Minister, Mr Humphries. He would construct the straw man. He would construct the argument that was not actually being made by this side of the place but he would construct it. The assertion would be made: "This is what your argument is. And what a foolish argument it is too."

But of course that is not what has occurred today. They know what the Chief Minister is asking for, and it would have been much simpler if they had just coughed it up in the first place, rather than have to go through this difficult and protracted process that we are now experiencing.

MR SPEAKER: Mrs Dunne, before you get the call, Mr Hanson, in case you did not hear me in the noise, during that discussion you were just warned for interjecting. Mrs Dunne, you have the floor. Are you seeking the floor still, Mrs Dunne? No. Mr Hargreaves.

MR HARGREAVES (Brindabella) (2.30): I will be very brief. One of the issues at play here, though, is the way in which the opposition play out their thematic attacks during question time. If you have a look back at their track record in this place, you will see—

Mr Smyth: On a point of order, Mr Speaker, opposition tactics are not what the motion is about.

MR SPEAKER: At this point, Mr Smyth, I think Mr Hargreaves is mounting his argument on some point he is going to make. I see your point, but I will see how this progresses. Mr Hargreaves, do focus on the topic at hand.

MR HARGREAVES: Thank you very much, Mr Speaker.

Mrs Dunne: Sorry, on the point of order, is it not customary, Mr Speaker, for members to sit down while you are making a ruling?

MR SPEAKER: Yes, it is, Mrs Dunne.

Mrs Dunne: Thank you.

MR HARGREAVES: I apologise, Mr Speaker. The point I was trying to make is that there is regularly—and examination of the *Hansard* will reveal it—a thematic approach to the way in which the opposition conduct question time. What that means is, of course, that each one of them in turn will ask a question of the same minister. Therefore, Mr Speaker—

MR SPEAKER: One moment, thank you. Stop the clock.

Mr Hanson: On a point of order, Mr Speaker, I do not think this is relevant to the debate. Perhaps you can invite Mr Hargreaves to give his running commentary on the opposition's performance in question time when he assumes the chair as the Assistant Speaker, as he has done previously this week.

MR HARGREAVES: On the point of order, Mr Speaker, this is not a running commentary on the quality of the opposition, because I would have nothing to talk about. I want to talk about the theme and its relation to documents which are being referred to in that theme and the request to table them.

MR SPEAKER: At this point there is no point of order. Mr Hargreaves.

MR HARGREAVES: The point that I am making is that they go one at a time attacking the same minister, and that is a process they are entitled to employ within this place. But we have seen the first two members of the opposition quote from documents. There is nothing to suggest to me that we will not see the rest of them quote from another document along the way. This request is for those documents that those members intend to use as the basis of their questions in their turn, in the same way that their thematic questioning has occurred in the past.

The intention of this motion is to make those opposite, if they are going to quote from emails, to table them as they go in turn. It is not intended to go beyond that. But if, in fact, we have the same thematic approach today, what we will see is after each one of them rises we will be asking for them to table a document. This is just to shortcut that whole process.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health and Minister for Territory and Municipal Services) (2.33), by leave:

I move:

Omit all words after “documents”, substitute “already referred to in question time today”.

When I moved the motion, I accept that it was very broad and general.

Mr Smyth: Sorry, we don't have the amendment.

MS GALLAGHER: It is being—

Mr Smyth: We don't know what you are speaking to.

MS GALLAGHER: It is not unusual in this place—

MR SPEAKER: Order, members! Ms Gallagher, the motion has been sent for circulation, has it?

MS GALLAGHER: It has. The amendment is just being copied, as I understand it, for circulation.

MR SPEAKER: I seek guidance from the house. Do we wish to proceed or do we wish to suspend briefly to enable the circulation of the motion?

Mr Hanson: Could you read it out?

MS GALLAGHER: The amendment? I was getting to that before Mr Smyth jumped to his feet. I was going to try to explain the amendment and the reason why the original motion was broad. It was to try and encompass the next four questions, perhaps. Maybe I was getting a bit ahead of myself, but it was to encompass other emails that may be referred to that I do not have. But if we want to do this, we will go through it motion by motion. The amendment is to table all emails and documents already referred to in question time today. So that would encompass Mr Seselja's—

Mr Seselja: Which 20 minutes ago I said I would do.

MS GALLAGHER: Mr Seselja, I asked you initially to table the document and you did not, which is why we find ourselves here. With respect to the purpose of this, and this is not something—

Mr Seselja interjecting—

MR SPEAKER: Mr Seselja, thank you.

MS GALLAGHER: that we have normally done, or indeed plan to continue to do, but what we have here is an opposition that are going to drip out and selectively quote from material to try and construct a perception—that is all it can be at the moment—that something went on in caretaker that should not have. That is a very serious allegation, and I believe information should be provided to us to have a look at that.

What we already see from what Mr Smyth has tabled is that it comes to nothing. A ministerial staffer has asked for factual advice from a department official pertaining to material in the election campaign. My quick reading of guidance on caretaker conventions already shows that there is no issue at all. The provision of information and advice to ministers refers to strictly factual analysis. It states:

Accordingly, factual material should be provided if requested ... even if it might be drawn upon for use in speeches or other material for the election campaign.

So there we see Mr Smyth's question, where he is trying to raise allegations without saying it clearly, is already put down to nothing. It is already put down to nothing.

That is the point here. We can see what you are up to. I am not going to enter into it. I am not going to play into it. I am going to ask you to provide the material first. We are going to have a look at it. We will look at how it goes with the caretaker conventions. We will look at how it applies to the legislation that the committee is going to look at around tightening up these procedures for the election campaign—

Mr Seselja: They do need to be tightened, don't they.

MR SPEAKER: Mr Seselja, order!

MS GALLAGHER: to deal with some of the carrying on we had from you in the last election. That is why that legislation is in there. Let's move on with question time. Table the documents. Let's get on with question time. If Mr Hanson, Mrs Dunne, Mr Coe and Mr Doszpot then refer to emails that I do not have, I will subsequently move motions in relation to each and every one of them.

MR SPEAKER: I think we might just pause because the text has not been circulated. Mr Seselja, you would like to speak to the amendment?

MR SESELJA (Molonglo—Leader of the Opposition) (2.37): As I said some time ago, I am happy to table this particular email that has been referred to. I seek leave to do that now.

Leave granted.

MR SESELJA: I table the following paper:

Climate change draft release—Copy of email to various recipients, including attachments, dated 25 September 2008.

We do see a real sensitivity on this issue from Ms Gallagher—to the extent that she is now seeking to rewrite the rules of question time because she is uncomfortable about being asked questions about the politicisation of Treasury by the Labor Party at the last election. She claims to know nothing about these. They are not only in the public domain, but at least one of the staffers, I believe, would have been working in the minister's office at the time. To claim to know nothing does not stand up.

Ms Gallagher is right: it is serious. It is serious when you are using Treasury as your personal plaything during an election campaign. That is what they were doing and that is what the documents show. They were using the Treasury as if it was part of the ALP organisation. That is unacceptable and we will be asking more questions. But I have tabled the document.

Ms Gallagher's amendment agreed to.

Motion, as amended, agreed to.

MR SPEAKER: Members, I seek the guidance of the house. The documents requested have now been tabled. Are we going to proceed with question time?

Questions without notice
ACT election campaign—communications

Mr Seselja: I think we are waiting for an answer from the Chief Minister.

MS GALLAGHER: I think I have answered it.

MR SPEAKER: Members, I believe that where we stopped before Ms Gallagher had three minutes and 12 seconds remaining to answer Mr Smyth's original question. Would you like to take any of that time, Ms Gallagher?

MS GALLAGHER: No, thank you, Mr Speaker. I believe I have answered the question.

Members interjecting—

MS GALLAGHER: I have. I have answered the question. The concerns that Mr Smyth raised come to nothing. It is in line with the guidance on the caretaker convention; there is nothing inappropriate in someone working for the Chief Minister at the time asking for factual advice from the public service.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Chief Minister, the Labor Party made an announcement the very next day on Indigenous issues. Were these two issues related?

MS GALLAGHER: What issues, Mr Smyth?

Mr Smyth: The fact that they asked for advice the previous day and then that advice was used in a Labor Party announcement the next day.

MS GALLAGHER: It appears to me that they asked for advice on costings, which appears, again, to be in line with the guidance on caretaker conventions.

Mr Seselja interjecting—

MS GALLAGHER: If Mr Seselja needs me to repeat the section that I have just read out from, it says:

... factual material should be provided if requested by a Minister, even if it might be drawn upon for use in speeches or other material for the election campaign. Provided that the material is strictly factual, the use to which it is put is a matter for the Minister.

MR SPEAKER: Mr Seselja, a supplementary question.

MR SESELJA: Minister, does this not create the perception that the ACT public service is advising and contributing to ACT Labor Party policy announcements during the election campaign?

MS GALLAGHER: No. The Leader of the Opposition is the only one peddling that.

MR SPEAKER: Supplementary, Mr Seselja.

MR SESELJA: Minister, can you assure the Assembly that this work by the public service was for the government, not the Labor Party?

MS GALLAGHER: My reading of the email is that it was requested by an adviser to the Chief Minister, who is the head of the government.

ACT public service—employees working from home

MS LE COUTEUR: My question is to the Minister for Industrial Relations and is in regard to the government's policy on ACT government employees working from home. In July 2007, the government committed, in the weathering the change action plan, to conduct a review of travelling to work options in 2008, including increased working from home options. Minister, was this review conducted? What were the findings in relation to working from home and is the government actively supporting this policy?

DR BOURKE: I thank the member for her question. This requires a detailed response, and I will take it on notice.

MR SPEAKER: Ms Le Couteur, a supplementary.

MS LE COUTEUR: Thank you, Mr Speaker. Minister, what are the OH&S responsibilities for the government when ACT government employees work from home? Are they different for senior staff who occasionally work from home? How has this impacted on the government's policy?

DR BOURKE: I thank the member for her question. Once again, this is a particularly detailed question and I will take it on notice.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, has the government calculated costs and savings for the application of this policy?

DR BOURKE: I thank the member for her question, and I will take it on notice.

MR HARGREAVES: Supplementary.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: The minister may very well have to take this one on notice as well.

MR SPEAKER: Preamble, Mr Hargreaves.

MR HARGREAVES: It is not a preamble; it is not related to the question. Will the minister please advise whether the same provisions as apply to the public service also apply to the Legislative Assembly (Members' Staff) Act in relation to working away from your designated work area?

DR BOURKE: I thank the member for his very interesting question. I will take it on notice.

ACT election campaign—communications

MR COE: My question is to the Chief Minister and relates to communication between the government and the public service during the last election. In doing so, I seek leave to table an email.

Leave granted.

MR COE: I table the following paper:

Integrated transport policy—Copy of email to various recipients from Gabrielle Hummel, Senior Adviser, Office of Jon Stanhope MLA, Chief Minister, dated 30 September 2008.

On 30 September 2008 a ministerial staffer sent an email to the Treasury at 6.31 pm asking for Treasury to review transport initiatives that night and to provide feedback by 9 am the following morning. Minister, are you satisfied that asking public servants to work at night to cost initiatives in the middle of an election campaign would not erode public confidence in the separation of the executive and the public service during the election period?

MS GALLAGHER: I will wait to see the information that Mr Coe has tabled, but what I can see from the ones that have been tabled already is that, from my reading of it and from the guidelines that operated around caretaker, there is absolutely no issue that seems to have been brought to my attention by these emails that would erode the community's confidence in the operations of government or, indeed, the appropriate caretaker conventions. Again, I draw members' attention to section 4(a), the provision of advice to ministers. Ministers can request advice from their departments. Indeed, I do not know about the opposition but members of the public service work extraordinary hours in support of the ACT community, as do ministers. We are routinely working at 6.32, Mr Coe. I do not know about you. Judging by the car park out there, there is not too much Canberra Liberals activity after 6.31, is there? We all know that. But it is not unusual—

Members interjecting—

MR SPEAKER: Members, thank you. Ms Gallagher, let us focus on the question at hand. Members, let us quieten down the interjections, thank you.

MS GALLAGHER: It is not unusual for government officers to be providing support to ministers out of hours. Indeed, it is our job and senior officers' job to be available for that work at all times.

MR SPEAKER: Mr Coe, a supplementary question.

MR COE: Yes, Mr Speaker. Minister, the Labor Party made a series of announcements on transport after the email which sought feedback. Were these two issues related?

MS GALLAGHER: I cannot answer that, Mr Coe, because I was not the minister responsible for the transport policy at that time. I was not indeed the Treasurer at that time, so it would be very difficult for me to answer that question, other than to say that we took a very rigorous analysis going into the election campaign about ensuring that our costings were accurate and that we were going to be able to deliver on them—unlike the opposition, who did not subject themselves to that sort of scrutiny. We were very clear that we wanted—and we took advice from the Treasury—accurate costings for the commitments we made going forward.

MR HARGREAVES: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: Chief Minister, is the service of having potential policies costed by Treasury available to the opposition, and have they availed themselves of that service if it is?

MS GALLAGHER: As members would know, yes, it is. The opposition, as I understood it, made use of that, although they argued with aspects of it. They had some unusual costings in their election campaign. They had things like—what were they called in health—surge beds, I think. They had surge ICU beds that would only operate a couple of times a year when they were needed. So there were some interesting ways that the Canberra Liberals submitted their costings and had them interpreted. But it brings home the importance of getting the election costings bill debated in this place.

Mr Seselja: Yes, we need to fix this dodginess, don't we?

MS GALLAGHER: I was the one that actually determined that that was the right way to go; to tighten up procedures so that the responsibilities that are on every member in this place in the lead-up to the election in 2012 are clear. I think it is still an exposure draft. It needs to get through the committee. It needs to get into this place for debate. It needs to happen soon so that everybody knows what the expectations are going into the election. I look forward to the opposition's wholehearted support for that legislation.

MR SPEAKER: Mr Seselja, a supplementary question.

MR SESELJA: Minister, will the Labor Party again be using ACT government facilities, including hospitals and schools, for its election campaign advertising?

MS GALLAGHER: I do not know that that is actually related to the question. Campaign advertising as opposed to campaign costings, I think, is a different question. The Labor Party—and in this case I can only answer on behalf of the government because I am the Chief Minister of the government here—will at all times act in accordance with the conventions, guidelines and legislation that have been agreed to in this place for all aspects of the campaign. I hope that all other members will as well.

Transport—strategy

MR HARGREAVES: My question is to the Minister for Territory and Municipal Services and it relates to activities in my electorate. Minister, can you provide details of a new community path in Chifley and Pearce that is to connect with the Tuggeranong Parkway shared path? How does construction of the path meet the active transport objectives of the government's transport for Canberra strategy?

MS GALLAGHER: I thank Mr Hargreaves for the question and for his interest in all matters relating to his electorate. As part of the federal government's job program which was launched in 2009, nominations were sought from a range of stakeholders, including government agencies and the general public, for projects covering the provision of cycling infrastructure in the ACT. The Pearce and Chifley shared path project, which was nominated by a local Chifley resident, was successful in securing funds of \$200,000 from the commonwealth program. The ACT government supplemented these funds from its own walking and cycling infrastructure program.

The proposed 1.9 kilometre shared path will provide a link between the existing trunk path east of the Tuggeranong Parkway and the existing shared path on the western side of Athllon Drive at the corner of Melrose Drive and Athllon Drive. The main body of the path is situated within a natural green open space, which provides a convenient access for pedestrians and restricted access for cyclists.

The green space was identified as providing direct access to and from local schools during the morning and afternoon peak periods, as well as by people travelling to access the local shops. New lighting will be installed to improve the existing deficient lighting, as well as improved safety measures at road crossings. The path seeks to improve mobility and access to work, home, shops, businesses and activities within the Pearce and Chifley area as well as improving safety for users and the community.

The path forms part of the government's commitment to continually increasing the walking and cycling network across the city. These objectives align very much with the core goals identified in the transport for Canberra strategy that was released earlier this week. Members will be able to go to page 58, I think, to actually look at the modal share targets that we are setting ourselves for walking. It is actually going to a target of 6½ per cent of journeys to work by walking up to seven per cent by 2026.

The Pearce and Chifley cyclepath project objectives are consistent with the encouragement of active transport as part of the transport for Canberra strategy, the actions necessary to modify people's travel behaviour and to increase the level of active transport over the next 15 years. This includes a commitment to increase the percentage of commuters walking, cycling and using public transport to 23 per cent of overall daily commutes by 2016.

MR SPEAKER: Supplementary, Mr Hargreaves.

MR HARGREAVES: Minister, given the significance of walking and cycling as active modes of transport in the government's transport strategy, what other plans does the government have in delivering cycling and walking infrastructure?

MS GALLAGHER: The government has allocated \$9 million to a number of walking and cycling priority projects. These include the city cycle loop, which has an estimated cost of \$6 million over three years. The initial stages of this city loop, which cover the sections from Marcus Clarke Street to Mort Street and from Edinburgh Avenue to Rudd Street, are under design and will go to construction later this year.

In addition to the Pearce and Chifley community path, other cycling and walking projects include: a Kings Avenue on-road cycle lane and off-road path improvements; accessibility improvements to walking infrastructure in the main town centres of Canberra, Tuggeranong, Belconnen and Gungahlin, and these improvements will benefit visually and mobility impaired people; interim off-road footpath improvements at Kingston foreshore; further investigation of converting sections of Bunda Street in the city and Hibberson Street in Gungahlin to "shared spaces" for pedestrians, cyclists and drivers; and the provision of cycling facilities along both sides of Yamba Drive between Yarra Glen and the Canberra Hospital.

This shows that the government is serious about addressing our transport challenges. Whilst Canberra may have been built for the car, Mr Coe, time does not stand still and we must continue to look at alternative means of transport. Without this kind of planning, the city will inevitably be choked by cars and then it will be too late to ask the question: why has this happened and where were the decision makers when they needed to be making decisions about this?

This has been a focus of the parliamentary agreement with the Greens, to improve cycling and walking. I think we have done a good job in that over the last three years. There is more to be done. I think the Heart Foundation's latest survey around children going to school is really interesting and we need also to turn our attention to that part of fixing the planning.

MR COE: A supplementary.

MR SPEAKER: Yes, Mr Coe.

MR COE: Chief Minister, will any of the work undertaken through the revitalising Civic project have to be changed or ripped up as a result of implementing the Civic cycle loop?

MS GALLAGHER: Not that I have been advised, Mr Speaker.

MR SPEAKER: A supplementary, Ms Porter.

MS PORTER: Minister, what input did the government obtain from the community and how was this used in the planning of the Chifley and Pearce community path?

MS GALLAGHER: I thank Ms Porter for the question. The project was initiated by a proposal from a member of the Chifley community who successfully sought a funding commitment from both the federal and the ACT governments. The initial objective was to provide a safe and convenient route for residents of Chifley to travel to nearby schools, in particular Torrens primary school. A local consultant familiar with walking and cycling facilities was engaged to develop the design and undertake consultation with the resident who initially made the successful application for the project.

As part of the design process, a community engagement meeting was undertaken in late 2011, where the final layout of the path was presented to the local community for comment. A representative from local cycling advocacy group, Pedal Power, was invited to participate in the consultation, and they considered the project worth while. The plan was well received, with minimal changes requested by community members or Pedal Power following the consultation. The Chifley residents sought to have a wider path than the minimum and Roads ACT was able to accommodate this within the allocated project funds. I think this is a successful resolution to this issue.

As I said, there are many other parts of Canberra where we need to look at how we can encourage more active transport, whether it be cycling or walking, particularly to school. I think the survey released yesterday showed that one out of 10 children rides to school regularly but 90 per cent of parents believe their children's health would be improved if they were able to ride to school. There is obviously huge potential there to change the way we currently do things.

Schools—Taylor primary school

MR DOSZPOT: My question is to the Minister for Education and Training. Minister, yesterday in response to questions about Taylor primary school you said you did not know whether the school would be open next term because you did not have the full reports on the extent of the damage. Given that elsewhere in question time you quoted extracts from the *Southside Chronicle*, you would no doubt have read in that same article, that departmental officers have suggested it could be another 12 months before the school is reopened. Additionally the Robson environmental report, which outlines the extent of the damage, is on the Taylor primary school website. Minister, when will the school be reopened, and if you do not know, when will you know?

DR BOURKE: I thank the member for his question. With regard to Taylor primary school, the school will be reopened when it is ready to be reopened, when it is safe to do so, when the children will be safe to attend that school. This is the key question in this matter, Mr Doszpot. I will know that when I am advised by my directorate as to when the school can be reopened.

MR SPEAKER: Mr Doszpot, a supplementary question.

MR DOSZPOT: Minister, will the current transport arrangements for Taylor primary students continue for as long as required and at no cost to parents?

DR BOURKE: I thank the member for his question. The current transport arrangements are planned to continue for the rest of this term. I understand that there is further advice coming to me with regard to a survey of the parents and their needs and wishes with regard to possible transport next term, depending on when the school is going to be reopened.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, do you agree with the views of the departmental officers quoted in the *Southside Chronicle* article?

DR BOURKE: I thank the member for his question. I note that the view was that it “may”, as I recall from—

Mr Doszpot: Twelve months, I think it said.

DR BOURKE: May; it may be 12 months. Indeed, it may be 12 months, Mr Speaker.

MR COE: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, why will you not provide certainty to parents of students at the school and commit to providing transport for as long as it is required?

DR BOURKE: As I previously said, a parents survey is being conducted to determine the desires of parents for the transportation of their children to Namadgi school. This is something that we really want to know. We want to know what the parents want without imposing something on them.

Healthy young people feasibility study

MS BRESNAN: My question is to the Minister for Health and relates to the ACT healthy young people feasibility study. Minister, can you advise if the ACT healthy young people feasibility study, funded from the ACT government’s 2009-12 healthy kids, healthy future budget, was completed in 2011, as advised on the ACT Health website?

MS GALLAGHER: I thank Ms Bresnan for the question. I was briefed last year on it. I do not believe I have seen the final, but I will check. I have certainly been briefed on it. It was heading towards completion at that point.

MR SPEAKER: Ms Bresnan, a supplementary.

MS BRESNAN: Thank you, Mr Speaker. Minister, if it was completed, why has it not been made public?

MS GALLAGHER: I will have to take that on notice, I think. The last discussion I had was, I think, that it was nearing completion. I will take further advice and come back to you. My intention was always to make that information available when it was completed. It has been heavily consulted upon.

Members interjecting—

MS GALLAGHER: It is difficult to answer the question, Mr Speaker. It was heavily consulted on. We had a lot of stakeholder engagement. The intention was always to make that report available to the community. I will just have to chase up where it is up to.

MS LE COUTEUR: Supplementary.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, can you advise: how much did the study cost?

MS GALLAGHER: I will have to take that on notice, Ms Le Couteur, but I am very happy to provide that information.

MR SPEAKER: A supplementary, Ms Hunter.

MS HUNTER: Minister, have the key stakeholders, parents, carers and young people who were consulted during this study been made aware of any of the outcomes or processes to date? If not, can you give a reason as to why not?

MS GALLAGHER: I am going to have to take that question on notice. I know that it has been a very collaborative piece of work that was undertaken. I am just trying to recall whether it has been finalised. It might be just that is in those final stages now. I will just have to take some further advice on it. I do apologise.

Schools—Taylor primary school

MRS DUNNE: My question is to the minister for education. Reports on Taylor primary school suggest the damage is more widespread than first hoped or thought. In the event that the school does not reopen in term 2, will the school continue to accept new enrolments for the remainder of this year and for preschool and kindergarten classes for 2013?

DR BOURKE: I thank the member for her question and her concern for the Taylor school community. I have not been advised by the directorate on that matter but I have no reason to think—why not? I think they would be taking enrolments. Why wouldn't they?

MR SPEAKER: Mrs Dunne, a supplementary.

MRS DUNNE: Minister, will Namadgi continue to house Taylor primary school pupils in 2013, including new enrolments?

DR BOURKE: I thank the member for her question. This is entirely conjectural. I do not know. I have not been advised that Taylor primary school will not be open, that the Taylor primary school site will not be able to be used this year.

MR SPEAKER: Supplementary, Mr Doszpot.

MR DOSZPOT: Minister, are there other alternatives to Namadgi school?

DR BOURKE: I thank the member for the question. There are always alternatives. Namadgi school is the school which is closest, which has space available and is in the same suburb.

MR SPEAKER: Mr Doszpot, a supplementary.

MR DOSZPOT: Minister, can you advise what some of these other alternatives to Namadgi are?

DR BOURKE: I thank the member for his question. There are always choices for parents in the ACT school system. It is really up to parents to choose what they want to do for the education of their children. The transfer of—

Opposition members interjecting—

MR SPEAKER: Members, the question has been asked.

DR BOURKE: The transfer of Taylor primary school to the Namadgi school is an alternative that is available to parents. If they choose that that is unsatisfactory for their purposes, there is a range of other choices available, which is what our ACT schools system is based upon.

Schools—asbestos

MR HANSON: My question is to the minister for education. Minister, given the recent building damage issues with Mount Taylor following flood damage, what other schools are at similar risk of disturbance of asbestos?

DR BOURKE: Asbestos was a common building material in Canberra last century. As I understand it, its use was banned in 2004. However, there are a number of schools, as there are other public buildings, homes and offices throughout Canberra, which have asbestos in them.

Members interjecting—

MR SPEAKER: Continue, thank you, Dr Bourke.

DR BOURKE: A regular inspection of schools is undertaken to assess the risk of hazardous substances, including asbestos, on a regular basis. I have had no reports that there are any other schools in a similar situation to Taylor primary.

MR SPEAKER: Mr Hanson, a supplementary.

MR HANSON: Minister, how many schools in Canberra currently have asbestos cladding or asbestos in their construction?

DR BOURKE: A number of schools in Canberra have asbestos within their structure. I do not have the exact number and I shall take that question on notice.

MS HUNTER: A supplementary.

MR SPEAKER: Yes, Ms Hunter, you have the call.

MS HUNTER: Minister, is there a plan to remove the asbestos from the schools that contain asbestos at the moment?

DR BOURKE: Yes, there is, Mr Speaker.

MR SPEAKER: Mr Doszpot, a supplementary question.

MR DOSZPOT: Can you table the plan for the removal of asbestos, minister?

DR BOURKE: I will take that question on notice.

Volunteers—recognition

MS PORTER: My question is to the Minister for Community Services. Minister, how has the ACT government supported and recognised volunteers across the ACT over recent years?

MS BURCH: I thank Ms Porter for her question and I also acknowledge her ongoing support for volunteering as a patron of Volunteers ACT.

The ACT Labor government has a strong track record of supporting and recognising volunteers across Canberra. Each day the tireless endeavours of volunteers contribute to making Canberra even stronger. We not only have the nation's capital but the volunteering capital of Australia with, I am told, over 94,000 volunteers dedicating 10 million hours per year.

In February I joined the volunteer of the year 2011, Jeanie Bruce, to open nominations—

MR SPEAKER: Ms Burch, there is a lot of noise in the chamber. Could we just keep the conversations down a little bit, please?

MS BURCH: Thank you, Mr Speaker. I am not surprised that those opposite do not have any interest in volunteering work—

MR SPEAKER: Ms Burch, the question, thank you. Your side are talking as well, so let us just focus on the question.

MS BURCH: All Canberrans have contact with volunteering, whether as a volunteer or through organisations which involve volunteers in their work. I encourage everyone to nominate an outstanding volunteer so they can be recognised in National Volunteer Week from 14 to 20 May. Our Canberra community would not function without volunteers and that is why this Labor government is so committed to supporting and recognising them on an ongoing basis.

The ACT government supports volunteers through the peak body Volunteering ACT to promote participation in volunteering, including health, financial, personal development and social benefits for volunteers, through the SPICE program, which is an early intervention program for students aged 12 to 15 at risk of disconnecting from formal education, and through connections, which is a mentoring program that matches caring volunteers with a participant dealing with mild to moderate mental health issues.

We also fund Volunteering ACT to develop networks and to consult with stakeholders in the volunteering community across Canberra and the region to organise and deliver a range of relevant training options for community organisations. The nature of volunteering is changing with increased population mobility and time pressures, and volunteering is now more targeted than the traditional long-term regular commitment. To reflect these changing behaviours, the volunteering sector is undergoing some changes in the way it operates. I welcome the greater online presence of Volunteering ACT with a recent refresh of its website volunteeract.org.au, which has enhanced support for volunteers and participating organisations. This site makes matching volunteers with the appropriate volunteering opportunity much easier.

The ACT government supports the good work of Volunteering ACT and the CEO Maureen Cane for assisting volunteers in our community and we will continue to do so into the future.

MR SPEAKER: Ms Porter, a supplementary.

MS PORTER: Yes, Mr Speaker. Minister, could you inform the Assembly about the recent release of the ACT volunteering statement?

MS BURCH: One of the key ways that the ACT Labor government is supporting volunteers is through the ACT volunteering statement. This statement was launched in December last year in partnership with Volunteering ACT. The statement was developed with Volunteering ACT. It recognises the value of volunteers and represents a whole-of-government and a whole-of-community approach to supporting and recognising volunteers. The statement lays the foundation of this government's vision of how to best recognise and support the vital role that volunteering plays in our community.

The statement sets out four concise principles which recognise the benefits, opportunities and requirements associated with volunteering. Volunteering is recognised; it is valuable. Volunteering is diverse and volunteering is supported. Through the statement we aim to strengthen the contribution of volunteers in the ACT by raising community awareness about volunteering and recognising the contribution of volunteers in promoting its benefits. Volunteering is for all Canberrans, as we all benefit.

In addition, the statement reflects the national volunteering strategy released last year and the Canberra social plan. The volunteering statement is a clear commitment of the ACT Labor government to supporting and recognising our diverse and valuable volunteers. I look forward to updating the Assembly as we work through a whole-of-government approach.

MR HARGREAVES: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: Minister, in terms of the support the government gives volunteers in the ACT, how has the ACT government made sure its grant program policies ensure that only genuine volunteers and bona fide committee organisations will benefit from future ACT government grants?

MS BURCH: I thank Mr Hargreaves for his interest in fair and accountable use of grants through Volunteering ACT. The Community Services Directorate manages a range of grants, and these are directed to assisting Canberra's most vulnerable and their families. The ACT Labor government recognised the importance of volunteers in assisting vulnerable people during the global financial crisis by providing \$1.25 million to Volunteering ACT for the volunteer grants program. This program was designed to assist volunteers with the increasing costs associated with volunteering, contributing to the cost of fuel, transport and parking.

The services were granted to sporting clubs, church groups, parents and citizens associations, health and multicultural support groups, arts organisations, community groups, scouts and guides, emergency services and senior citizen groups. I would like to take the opportunity to thank those groups for the work they do.

It is always unfortunate that there will be people in our society that try and exploit these kinds of programs at the expense of the most vulnerable in our community. Acknowledging that, we have undertaken an audit of the grants program and have put in place very strong systems to make sure there is clear accountability for authorisation of payments and grants. I am confident that these measures will ensure compliance with the policies so that these important grants can never be used for the personal advantage of the Canberra Liberals ever again. I add for the record that the Canberra Liberals repaid that ill-gotten \$10,000 grant, but only after they were dragged kicking and screaming to admit they had done the wrong thing. They were shortly after found wanting again by using Assembly resources to print fundraising invitations, and they had to agree that was wrong also. (*Time expired.*)

Ms Gallagher: I ask that all further questions be placed on the notice paper.

Schools—asbestos

MR SESELJA (Molonglo—Leader of the Opposition): I seek leave to move a motion in relation to the tabling of a document by Dr Bourke.

Leave not granted.

Standing and temporary orders—suspension

MR SESELJA (Molonglo—Leader of the Opposition) (3.16): I move:

That so much of the standing orders be suspended as would prevent Mr Seselja from moving a motion requiring the Minister for Education and Training to table the asbestos removal plan he referred to in question time today.

We have been lectured to today by the government. We have seen new standards set for the opposition in relation to the tabling of documents in question time. And now we are seeking the government's cooperation—

Ms Gallagher interjecting—

MR SPEAKER: Ms Gallagher, thank you.

MR SESELJA: Minister Bourke was asked a very simple question. He was asked whether or not there is an asbestos removal plan. He said yes, there is. We are asking him to table it. He can do it by close of business today. He can go and consult with his department, get it and table it. I think it is legitimate that we ask this on behalf of the community, who have a genuine interest in knowing what the government's plan is.

Minister Bourke has clearly said there is a plan. There should be no problem in tabling that plan so that all people in the community can have the opportunity to review it.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (3.18): I will be happy to table that plan next sitting day.

Mr Seselja: Sorry—when?

MR SPEAKER: Next sitting day, I believe the comment was, members.

Mr Seselja: My motion says “close of business today”. When will that be happening—next Tuesday, will it, Dr Bourke?

Dr Bourke: Yes.

Mr Seselja: That is fine.

MR SPEAKER: Okay. So, Mr Seselja, would you like to withdraw?

Mr Seselja: I will not move the motion. I seek leave to withdraw the motion to suspend.

Leave granted.

Mr Seselja: I withdraw the motion.

Supplementary answers to questions without notice Schools—asbestos

MR HANSON: On the issue there, I believe that Dr Bourke, when he said that he would be happy to table the document, did not actually stand up and make that clear, so it may not be recorded in *Hansard*. I would invite Dr Bourke to make it clear that he will be tabling that document. It perhaps has not been recorded and may cause some confusion next sitting day.

MR SPEAKER: Mr Hanson, Dr Bourke had the call, and I am quite sure that Hansard was recording, so I think we can just proceed.

Planning—deconcessionalisation

MR CORBELL: Yesterday in question time Ms Le Couteur asked me a question in relation to the deconcessionalisation of the lease held by the ACT Brumbies at the old Griffith bowling club. I took on notice the part of her question relating to whether or not this was the first site to be deconcessionalised through the new process.

I can confirm that this is the case. The Brumbies site was the first development application seeking to remove the concessional status of a lease received and approved by the planning authority since the Planning and Development Act 2007 commenced. There are three other DAs seeking consent to remove the concessional status of a lease for other sites that have also been received since the commencement of the act, but the Brumbies site was the first.

Applications to pay out the concessional status of the crown lease are development applications under the act. The decisions are reviewable decisions under schedule 1 of the act. In particular circumstances an appellant would be required to demonstrate that the approval would cause the entity to suffer material detriment. This is a requirement of the act.

Schools—weapons

DR BOURKE: On 20 March I was asked a question by Mr Doszpot, which I took on notice. The answer to the member's question is as follows: the amendment to the Education Act fulfilled the commitment of the government to the Canberra community made during the last election to better support teachers and schools by developing options around suspensions. The commitment to look at the process

around suspensions was made as a direct result of representations from the Canberra community about ensuring schools are safe and provide learning in a positive environment.

The amendment to the Education Act 2004 was passed by the Legislative Assembly on 23 February 2010 and changes to the legislation came into effect on 4 March 2010. The change in the Education Act 2004 to delegate authority to principals to suspend students from ACT public schools for up to 15 continuous days initiated the change to the policy.

Section 36 of the Education Act 2004 is the legislative basis on which suspensions, transfer or exclusion of students can occur. It is the role of the Education and Training Directorate to develop and amend its policies to reflect legislation. In accordance with standard practice outlined in the directorate's policy management manual, consultations on the revised policy occurred with a range of stakeholders, including the ACT Human Rights Office, the Australian Education Union, the ACT Council of P&C Associations, the Youth Coalition of the ACT, ACT Health, Catholic Education Office, Association of Independent Schools, the Canberra Institute of Technology, Community and Public Sector Union, Community Services Directorate, all staff of the ACT Education and Training Directorate, and the Australian Federal Police.

No concerns were raised in relation to the removal of the specific reference to weapons or risk of safety to staff or students.

Schools—weapons

DR BOURKE: I was asked by Mr Hanson on 20 March a question, which I took on notice. The answer to the member's question is as follows: the letter to the director-general of the Education and Training Directorate relating to a risk assessment was dated 21 February 2012.

Alexander Maconochie Centre—capacity

DR BOURKE: Mr Seselja asked a question on 21 March regarding the capacity of the Alexander Maconochie Centre. The answer to the member's question is as follows: as is well known, the AMC is facing considerable accommodation pressures, not just because of the numbers but also because of other factors such as the need to keep separate a high number of protection detainees at the AMC. The government is considering a range of possible accommodation solutions. As part of this process the government commissioned a future correctional facility requirement study as part of the 2011-12 budget. ACT Corrective Services is also reviewing how decisions relating to classification of protection and other detainees are made.

Alexander Maconochie Centre—capacity

DR BOURKE: Mr Hanson asked me a question during question time on 21 March regarding the AMC's capacity. The answer to the member's question is as follows: we have 278 detainees in the AMC. Of these, 265 are male and 13 are female. Of the males, 167 are sentenced and 98 are remandees. The government had previously

approved installation of additional beds at the AMC and these were installed in 2011. This has taken the total bed numbers to 318. As has been discussed in relation to the AMC in the past, this does not mean we can necessarily accommodate 318 people all at once. What we can accommodate is subject to gender, classification and protection issues, and how we handle these.

In regard to future plans, as the government has previously advised, we have funded the AMC future correctional facility requirements study to examine options in relation to accommodation at the AMC. We have done this to address a range of accommodation and building issues, including the pressures that have been experienced at the AMC.

ACT Corrective Services is also reviewing how decisions relating to classification of protection and other detainees are made.

Papers

Mr Corbell presented the following papers:

Fair Trading (Motor Vehicle Repair Industry) Act, pursuant to subsection 45(4)—Report of the Motor Vehicle Repair Industry Advisory Committee—

Report, dated October 2011.

Ministerial response.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act—ACT Teacher Quality Institute (Fee) Determination 2012 (No 1)—Disallowable Instrument DI2012-29 (LR, 5 March 2012).

Civil Law (Wrongs) Act—

Civil Law (Wrongs) New South Wales Bar Association Scheme Amendment 2012 (No 1)—Disallowable Instrument DI2012-19 (LR, 23 February 2012).

Civil Law (Wrongs) Victorian Bar Inc Scheme Amendment 2012 (No 1)—Disallowable Instrument DI2012-20 (LR, 23 February 2012).

Cultural Facilities Corporation Act 1997 and Financial Management Act—

Cultural Facilities Corporation (Governing Board) Appointment 2012 (No 1)—Disallowable Instrument DI2012-17 (LR, 20 February 2012).

Evidence Act—Evidence Regulation 2012—Subordinate Law SL2012-6 (LR, 27 February 2012).

Gambling and Racing Control Act 1999 and Financial Management Act—

Gambling and Racing Control (Governing Board) Appointment 2012 (No 1)—Disallowable Instrument DI2012-18 (LR, 21 February 2012).

Gambling and Racing Control (Governing Board) Appointment 2012 (No 2)—Disallowable Instrument DI2012-22 (LR, 27 February 2012).

Heritage Act—

Heritage (Council Chairperson) Appointment 2012 (No 1)—Disallowable Instrument DI2012-28 (LR, 1 March 2012).

Heritage (Council Deputy Chairperson) Appointment 2012 (No 1)—Disallowable Instrument DI2012-25 (LR, 1 March 2012).

Heritage (Council Member) Appointment 2012 (No 1)—Disallowable Instrument DI2012-24 (LR, 1 March 2012).

Heritage (Council Member) Appointment 2012 (No 2)—Disallowable Instrument DI2012-26 (LR, 1 March 2012).

Heritage (Council Member) Appointment 2012 (No 3)—Disallowable Instrument DI2012-27 (LR, 1 March 2012).

Legislative Assembly Precincts Act—Legislative Assembly Precincts (Licence Fees) Determination 2012—Disallowable Instrument DI2012-33 (LR, 9 March 2012).

Litter Act—Litter (Shopping Trolleys) Amendment Regulation 2012 (No 1)—Subordinate Law SL2012-7 (LR, 1 March 2012).

Nature Conservation Act—Nature Conservation (Flora and Fauna Committee) Acting Appointment 2012 (No 1)—Disallowable Instrument DI2012-21 (LR, 27 February 2012).

Public Place Names Act—Public Place Names (Weston) Determination 2012 (No 1)—Disallowable Instrument DI2012-32 (LR, 8 March 2012).

Public Sector Management Act—Public Sector Management Amendment Standards 2012 (No 2)—Disallowable Instrument DI2012-23 (LR, 1 March 2012).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2012 (No 1)—Disallowable Instrument DI2012-16 (LR, 16 February 2012).

Taxation (Government Business Enterprises) Act—Taxation (Government Business Enterprises) Amendment Regulation 2012 (No 1)—Subordinate Law SL2012-8 (LR, 8 March 2012).

Unit Titles (Management) Act—

Attorney General (Fees) Amendment Determination 2012—Disallowable Instrument DI2012-30 (LR, 5 March 2012).

Unit Titles (Management) Certificate Determination 2012—Disallowable Instrument DI2012-31 (LR, 5 March 2012).

National Close the Gap Day

Ministerial statement

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (3.26): I table the following paper:

National Close the Gap Day—Ministerial statement, 22 March 2012.

I move:

That the Assembly takes note of the paper.

I acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. I respect their continuing culture and cherish the contribution they make to the life of our city and our region. I also acknowledge and welcome other Aboriginal and Torres Strait Islander people attending today.

I stand to make a statement because today is National Close the Gap Day. The poorer health of Australia's Aboriginal and Torres Strait Islander peoples when compared to the non-Indigenous population is no secret. Madam Assistant Speaker, something can be done.

Since 2006, Australia's peak Indigenous and non-Indigenous health bodies, NGOs and human rights organisations have worked together to achieve health and life expectation equality for Australia's Aboriginal and Torres Strait Islander peoples. This is known as the close the gap campaign. The campaign's goal is to close the health and life expectancy gap between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians within a generation.

The close the gap statement of intent signed in 2007 by the Prime Minister, opposition leader and peak Indigenous health bodies is the touchstone of that campaign. It lists as commitments the main elements of the campaign's approach to achieving Indigenous health equality and has now been signed by almost all the governments and oppositions of the states and territories.

National Close the Gap Day is a way for all Australians to join together and remind their political leaders of our commitments to close the life expectancy gap between Indigenous and non-Indigenous Australians within a generation. The focus for 2012 is on the need for genuine, meaningful partnership with Indigenous peoples at all stages of health planning and delivery.

There are now over 175,000 supporters of this campaign. Today, in schools and workplaces all over Australia, tens of thousands of people, many for the first time, are involved in registered close the gap events. They are taking a stand to highlight that Aboriginal and Torres Strait Islander people have a 17-year shorter average lifespan; higher child mortality rates; higher levels of chronic disease; lack of access to basic health care in remote communities; and a shortage of culturally safe and appropriate health services in many urban, regional and remote communities.

Today I put on record this government's wholehearted support for the actions that the National Close the Gap Day requires. The declaration I make this day to all of us here in this place is to join in our commitment and determination to close the gap in health outcomes between Aboriginal and Torres Strait Islander people and other Australians within a generation.

The theme for the 2012 Close the Gap Day is “Campaigning for Indigenous health equality—power through partnership”. This means genuine, meaningful partnership with Indigenous people at all stages of health planning and delivery. The ACT government, along with all other Australian governments, has signed up to work in partnership with Indigenous people to deliver more targeted, more sustainable, better governed services under COAG’s sustainable national Indigenous reform agenda.

This reform agenda ambitiously sets out to close the gap on Indigenous disadvantage within a generation across many sectors. Since 2008, through COAG, all levels of government have worked together to lay the foundations for coordinated effort to close the gap by committing to the following targets within a generation: closing the gap in life expectancy; halving the gap in mortality rates for children under five within a decade; ensuring access to early childhood education for all Indigenous four-year-olds in remote communities within five years; halving the gap in reading, writing and numeracy achievements for children within a decade; halving the gap for Indigenous students in year 12 attainment or equivalent by 2020; and halving the gap in employment outcomes between Indigenous and other Australians within a decade.

The Prime Minister’s third annual closing the gap report was released last month. It shows that across Australia we are on track to achieving these targets. There is good news particularly in education and early childhood. However, closing the gap in life expectancy by 2031, a key indicator for healthy lives, remains the most challenging target of all.

As we know, Indigenous disadvantage has many causes. It is a legacy of our nation’s history of dispossession and past policies of segregation and removal of children. These have prompted apologies in most jurisdictions, including in our own Legislative Assembly in 1997. This led finally to the national apology in 2008. But addressing these national failings is just the beginning.

Through COAG, we have acknowledged that entrenched disadvantage in Indigenous communities is the result of misguided policies and a profound failure to respect and consult the people who these policies were intended to benefit. The COAG commitment to close the gap will address decades of under-investment in services and infrastructure; confused responsibilities between levels of government; and ad hoc, poorly targeted programs.

We recognise that strategies aimed at achieving improvements in any one area will not work in isolation. To achieve health equality and overcome disadvantage, all governments have agreed to maintain a sustained collaborative effort across seven “building blocks” to build better lives. These seven interrelated areas are early childhood, education, housing, employment, safety, governance and leadership, and health.

This solution does not depend solely on money. Good governance, accountability and genuine engagement with Indigenous peoples are all preconditions for success. And genuine engagement means genuine respect for an ancient and ever-evolving culture.

In recent decades, Indigenous people from across Australia have joined those in Canberra whose ancestors have always been here. Some have come to Canberra seeking to bring reforms for their people at a national level. Others came seeking work and careers in the rapidly growing city. Today we have a very diverse Indigenous community in Canberra. Many achieve much better life outcomes than elsewhere in Australia. However, as elsewhere in this country, a significant level of disadvantage persists.

With the growth in the Indigenous population, the ACT has sought to lead the way in government service delivery, staying committed to providing the highest level of support for, and engagement with, Indigenous people in the ACT, at the same time initiating and supporting innovative policies and programs. The *Overcoming Indigenous disadvantage: key indicators 2011* report has been a measure of the ACT's performance, showing steady improvements in the provision of education, employment, homeownership and income levels for Indigenous people.

However, the *Overcoming Indigenous disadvantage* report also shows that significant gaps remain between Indigenous and other Australians. For example, while Indigenous students in the ACT do relatively well in comparison to other jurisdictions, as elsewhere in Australia significant gaps remain in educational outcomes and attendance. Indigenous students in Canberra are still achieving lower results than others across all year levels. And there is increasing Indigenous over-representation in the care and protection system, where the number of children on care and protection orders has increased to the highest rate nationally. While this increase could reflect greater levels of access to the system and services, reducing this over-representation remains a high priority. The ACT government is working very closely with the Indigenous community to find practical solutions. We want all children and youth to reach their full potential and achieve optimal health and education.

Indeed, ACT government initiatives directly address concerns of the local Indigenous community, such as effective democratic representation, seamless integrated services for children and young people, and enhancements in our education system to encourage all young Indigenous students to stay on in school and to advance to higher levels of attainment.

The development of the Ngunnawal bush healing farm is an example of the ACT government's commitment to working with Aboriginal and Torres Strait Islander communities to comprehensively address the complex issues surrounding drug and alcohol misuse. The healing farm will deliver culturally appropriate prevention, education, rehabilitation and outreach programs.

One of the more practical and important initiatives by the ACT government to address local disadvantage has been the creation of the ACT Indigenous Elected Body. The aim of the elected body is to give democratically elected representative voice to the Indigenous communities of the ACT.

One of the key engagements between the ACT government and the elected body has been an annual hearings process with ACT government agencies. The hearings

process is a powerful mechanism to ensure that the community is fully informed of the ACT government's activities and that the elected body truly advocates on their behalf.

The elected body presents a report on the hearings, including recommendations for improved government services, and the ACT government formally responds. In its recent response to the elected body's 2011 report, the government made a commitment to produce an annual report on the ACT's progress in closing the gap. It will include the national reporting streams and show the ACT government's expenditure and performance as set out in the national Indigenous expenditure report. The first ACT government closing the gap report will be delivered this year. The government has noted that data quality and availability would affect what indicators could be reported on in any given year.

Indeed, in the ACT there remain a number of indicators for which data is not available or where data should be treated with caution due to the small Indigenous population or data quality issues such as administrative data collection practices. However, in the ACT, efforts are being made to overcome these issues. For example, the Health Directorate is implementing a number of initiatives to improve Indigenous data collections, including providing administrative staff with training on "asking the question" to identify Indigenous clients.

Other government initiatives to improve the lives of Indigenous families are gaining momentum, many of them supported by historic Indigenous-specific and mainstream national partnership agreements between the commonwealth and ACT governments under the national Indigenous reform agreement.

For example, the first of 38 child and family centres around Australia was opened in west Belconnen. This centre has a specialised focus on the provision of services for Indigenous families. The centre is working in partnership with the local Indigenous community to identify and develop appropriately targeted programs. These will ensure that Indigenous families are supported to give their children the best start for long, healthy lives.

The ACT government is also exploring opportunities to establish an independent Indigenous-controlled child welfare organisation. It would provide services such as family support, cultural planning and foster care for families involved in statutory services.

In public education, extensive work has continued for some years now to engage with the community and overcome gaps in educational achievement. And we are making progress. Today, in the ACT, more Indigenous students than ever before are enrolled in our schools and are staying to complete year 12. In 2010, the target set for Indigenous student achievement under the national partnership agreement for literacy and numeracy was achieved. Ninety per cent of year 3 students achieved at or above national minimum standards in reading, compared to the national target of 83 per cent.

For Indigenous students under the Aboriginal and Torres Strait Islander education matters strategic plan, the public education system in the ACT will continue to pursue

innovation in curriculum, literacy and numeracy, decision making, learning and career pathways, relationships and leadership.

Given the gaps in life outcomes between Indigenous peoples and other Australians the ACT government acknowledges that our closing the gap commitments are long term. They require continual improvement and long-term financial investment and commitment to make a difference to the lives of Indigenous people.

Engagement and partnership with Indigenous peoples are paramount to any success. I acknowledge, as the *Overcoming Indigenous disadvantage: key indicators 2011* report clearly indicates, that we still have a long way to go to close the gap.

The annual ACT government closing the gap report will be a practical and evidence-based document which will guide all sectors of our society to work strategically to overcome disadvantage for some of our most vulnerable members of our community.

We are determined to walk hand in hand with members of our local Indigenous community—my own community—to close the gap.

MR HANSON (Molonglo) (3.41): I am very pleased to speak on this important issue today and I thank the minister for bringing it before the Assembly. I think that when it comes to the issue of closing the gap on Indigenous disadvantage, it is an area that has tripartisan support. Obviously we will from time to time disagree on policies and the measures that are put in place. But there is no question that we on the opposition side acknowledge and fully understand that when it comes to health, education, social equity, economic prosperity and criminal justice, Indigenous disadvantage is there and it is there for us all to see. I and my colleagues acknowledge that it is unacceptable.

We welcome any measures that are targeted to close the gap between Indigenous and non-Indigenous Australians and Canberrans, whether it be delivered through organisations like Winnunga Nimmityjah, Gugan Gulwan, Billabong, through initiatives that are proposed through the Indigenous Elected Body and Rod Little and his members, or perhaps cultural and heritage issues put forward by the United Ngunnawal Elders Council or individuals from the Ngunnawal, Ngambri or Ngarigo peoples. There is no question that there is much that needs to be done in terms of closing the gap.

I would just like to express our bipartisan support. This is an area that, although we may differ on matters of policy, is not an issue that the coalition has or will play politics with. We are very proud on this side that it was Kate Carnell, a Liberal Chief Minister, who was the first to offer an apology to Indigenous people anywhere in Australia.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (3.43): I would also like to acknowledge the traditional custodians of this land and I pay my respects to their elders, past and present. As the minister has stated, today is National Close the Gap Day, which represents a chance for all Australians to reflect on the important work being undertaken to address the shocking gaps between Indigenous and non-Indigenous Australians. In 2008 the Council of Australian Governments created six

clear and specific targets to address issues relating to health, life expectancy, education and learning, and employment outcomes.

While there are many concerning figures and statistics that illustrate these gaps, perhaps the most distressing is that Aboriginal and Torres Strait Islander people are still dying 10 to 17 years younger than other Australians. This is not just a statistic. This is a real and raw fact in the Indigenous community and something that, of course, is felt with enormous grief. This is a fact that sees many elders taken from their families and communities well before their time and this is a fact that we all should not and cannot put up with.

I would like to see National Close the Gap Day as an opportunity to reflect and take stock of what it means to live in a country where most, but not all, Australians live long and healthy lives. I would like to see this day as a chance to raise awareness of the systemic social inequity faced by many Aboriginal and Torres Strait Islanders.

I would also like to see today celebrated as we see all state and territory governments and the commonwealth recognise that this situation cannot continue and we begin to see some benefits from what a whole-of-government approach can achieve. Finally, I would like to see today as a challenge not to give up and to further drive home the need for continued action.

Reading through the latest report from the Australian Institute of Health and Welfare's closing the gap clearinghouse, it is not surprising to see listed clearly and in plain language what is working nationally to overcome Indigenous disadvantage. In the areas of early childhood, healthy homes, and governance and leadership, the repeated messages are clear. Long-term and flexible program and policy design is vital to achieving the positive outcomes we are all seeking. This recognises that Aboriginal and Torres Strait Islanders are often dealing with entrenched, systemic and historical barriers to achieving the quality of life that most of Australia takes for granted.

It should come as no surprise to anyone who has worked in community or health services that the other key message to policymakers is the crucial importance of a community development, strength-based approach. Specifically, this translates into a commitment to empower the community that is supporting Indigenous staff and investing the time and resources into ongoing community consultations to ensure that programs are relevant, to ensure that everyone has been part of developing those programs and delivering those programs, that they have a shared vision.

We can also see the inverse of this when looking at the evidence of what does not work. What does not work is short-term or piecemeal programs, programs that are not run long enough to make a significant impact. This is also shown in the design and development of programs and policies as a one-size-fits-all approach that does not allow for particular local cultural, social and environmental circumstances. Again, it simply does not work.

I believe that this is a message that needs to be reviewed by the federal government in terms of the continued rollout of the Northern Territory intervention. As the ACT

Council of Social Service has said today, compulsory income management and social security payment suspension does not work. It fails the “what works” principles that I outlined earlier.

The theme for this year is “Campaigning for Indigenous health equality—power through partnership”. These messages have relevance for the Assembly here in the ACT. I hope this call is taken on board by all MLAs and by the various government and non-government service providers.

The ACT Greens want to work with and for the Aboriginal and Torres Strait Islander community, the agencies, service providers and advocacy groups. We need to ensure that we do get health equality, that we have educational achievement, that infant mortality and life expectancy are the same as for non-Indigenous Australians and that we reduce the over-representation in our care and protection and our justice system.

I will shortly be going out to meet with one of our youth services, Gugan Gulwan, down there in Erindale, a service that I have had the pleasure of working with over many years in my former occupation before I came into the Assembly. They run a number of programs. I will be seeing how they are going. I do know that one of the programs they are running supports young people through education. I understand that the funding for that will be running out in about the middle of the year and they are quite concerned about what is going to happen from there.

We have heard the minister talk about the importance of education. It is incredibly important for young Aboriginal and Torres Strait Islander people to be able to achieve a high level of education, particularly here in the ACT when we know the sort of job market that is out there. Also, because it provides them with so many opportunities, education is a real key. So I will be talking to them about what sort of support they are going to need with that program and the other programs they run.

Certainly, I thank the minister for raising this very important matter here in the Assembly today.

Question resolved in the affirmative.

Seniors—importance

Discussion of matter of public importance

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

The importance of older Canberrans to the ACT.

MR DOSZPOT (Brindabella) (3.50): As we celebrate Seniors Week 2012 in the ACT this week I felt this matter of public importance was timely and I thank the

Speaker that my proposal was drawn to bring this to the attention of members of this Assembly. We all know how the Speaker makes a random choice from each day's requests for an MPI, and I can only assume it was by the same random process that it was my name and perhaps not that of my younger colleague Mr Coe that was pulled out of the proverbial hat to present this discussion.

That said, in discussing the contribution of older Australians it really becomes a matter of perspective as to what constitutes that group known as "older Australians" or indeed "older Canberrans". We do need to be careful as to how we define people and into what box we put them and where they themselves wish to be put. For example, when we were growing up we probably all thought of our parents as being old fogeys, when in truth they were probably only in their 30s or perhaps 40s. I know children in their pre and early teens routinely regard anyone over 20 as old and beyond understanding of anything modern. So what is the official definition of "older Australians"?

Mr Hanson: Not a hipster like you, though, Andrew.

Mr Barr: It's all relative, Jeremy.

MR DOSZPOT: It depends where you look. It might come as somewhat of a surprise to fellow members of this Assembly that mature age Australians are classified as anyone, Mr Hanson, over 45 years of age.

One reason for such a high percentage of people in the older age bracket is that Australians enjoy one of the highest life expectations in the world, and we of course should all be grateful for that.

In moving to the essence of today's debate, older Canberrans and their importance to the territory, we have some rich pickings indeed. One only has to read the *Hansard* of yesterday's motion on the importance of family businesses to the economic prosperity of this territory to recognise the contribution of some important older Canberrans.

We have Canberra's oldest business, Bink concrete, headed for over 50 years by John Bink, and Joe Giugni's Fyshwick Fresh Food Markets. Both of them and their businesses are Canberra institutions, while not forgetting people like Rob de Castella, who has not only brought pride and fame to Canberra sport but is also a popular and successful small businessman. We also have the likes of Terry Snow, the head of the prominent Snow Foundation and Brindabella Business Park development; Bob Winnel of the Village Building Company; Ivan Domazet of the Doma Group; Jeff Konstantinou of the Konstantinou Group—all prominent Canberrans who have contributed and continue to contribute to Canberra's growth and development.

From a political perspective, Greg Cornwell, Jon Stanhope, Lou Westende and Bill Wood are some of the names that come to mind and who are all former contributors to our Assembly and in that certain age group.

Our 2012 Australia Day ACT ambassador, Bryce Courtenay, is a mature age Australian and now Canberra resident. In fact I believe that Bryce Courtenay had

turned 60 before he embarked on his second career as an author, which he has become very prominent in. His first book, *The Power of One*, has set all sorts of publication records. Don Allan, who has been a champion of people with disability in Canberra, is also someone we recognise for his work with ACTAAD. Bishop Pat Power is another prominent Canberran who has made an enormous contribution to the Canberra community.

Through this proposal here today we obviously recognise all senior Canberrans from all walks of life. Our 2012 Canberra citizen of the year is Dr Chris Peters. He is also a mature age Australian. No-one can question or fail to acknowledge the contribution, the commitment and the value that Dr Chris Peters has given to this territory. As CEO of the ACT Chamber of Commerce and Industry he represents business on over 20 ACT government boards, committees, statutory authorities and ministerial advisory councils. He is chairman of the Corporate Directors Association of Australia Ltd and Multicultural Business Chamber of Australia Inc and deputy chairman of the Tourism Industry Council.

Dr Peters has founded associations such as the Indigenous Business Chamber of Australia, the peak body providing a business chamber for Indigenous business people and others with an interest in Indigenous business and to support the opportunities to create business relationships. He has also made a significant commitment to youth at risk and is a member of GreaterGood, Canberra's public charitable foundation. The Chief Minister said at the ACT citizen of the year ceremony:

Dr Peters is admired as a person who is altruistic and is someone who has difficulty saying no to anyone who seeks his assistance or knowledge.

I simply do not have time to list all of the people of mature age that are today making an important contribution to Canberra. You only need to look at the age profile of those who work in most volunteer organisations, whether it be Lions, Rotary, the CWA or the Red Cross. Yes, one can argue that these people often have time to do these things because many are no longer engaged in full-time employment. But no-one has forced them to stand in the rain to direct the traffic at Saturday's Canberra markets. No-one has forced them to stand for days in shopping centres selling poppies, daffodils, noses or badges for one worthwhile cause or another, or to doorknock the suburbs of Canberra for the Salvation Army or St Vincent de Paul. No-one has asked them to fight fires and risk their lives as volunteer fire brigade members.

They do it because they believe they have a contribution to make and there is a need for them to do so. And are we not all grateful for what they do? The ACT Liberals certainly recognise and acknowledge the most important contribution that older Australians can make to this community.

Val Jeffery is well known as a local regional small business owner, a valuable member of a local volunteer group and now the endorsed Liberal candidate for the seat of Brindabella. He is a shining example of someone who believes that age is no barrier to anything. It is a philosophy and a perspective we should all embrace and acknowledge.

There is another very important older group in Canberra making a significant contribution. I refer to the many thousands of older carers in Canberra who have given their lives to care for their disabled children, their elderly parents, their siblings or their spouses. More than 2.7 million Australians provide care for family members or friends. One in every eight Australians has taken on a caring role.

Carers ACT tell us that there are over 43,000 carers, or approximately 14 per cent of the population in Canberra, who provide unpaid informal support to others who require care. Many of these are mature carers. These selfless people make an enormous difference to the quality of life of those for whom they provide care. In a strictly financial sense they also save the Canberra taxpayer, the Australian taxpayer, millions of dollars.

One of the important aspects of our community which we also need to touch on from this Assembly's point of view—we touched on it briefly before when we mentioned fellow members of this Assembly—is that mature age Australians are classified as anyone over 45 years of age. On that basis, this Assembly is a living, breathing example of the importance of older Canberrans to the ACT.

Indeed, there is even a dedicated website for people over 45 looking for work—it might be a useful link for some on the other side of the chamber after 20 October this year. Olderworkers.com.au is a unique website where older job seekers, specifically 45 years of age and over, can go to apply for vacant positions. To be eligible for membership of the National Seniors organisation you need to be over 50. To be eligible for specific insurance plans such as those offered by APIA you need to be over 55 and not working full time. To receive the age pension you need to be over 65 for a male and 64.5 years for a female, although they are moving to equity on that. But if you are wishing to study at, say, the University of Western Australia, mature age students are classified as anyone over 20. In fact, when I did university studies in my 30s I enrolled as a mature age student.

Ms Burch: In the 1930s?

MR DOSZPOT: As to physical descriptions, one would not wish to rely on the description provided by our own Assembly members. On that note, I guess it is the same sort of courtesy to the elderly that Ms Burch has just demonstrated. The physical description one would not wish to rely on is the physical description provided by our own Assembly members, such as Mr Hargreaves who in a recent costly outburst referred to a community organisation as an “old persons club” made up of a “geriatric mob who just sit in their place” and “a self-interest group and I would not touch them with a barge pole”. An old proverb about glass houses comes to mind but I will let it pass, just as I will let Ms Burch's very unseemly comment pass.

So to define an older Australian is not an exact science. The latest study of older Australians was published by the federal government in November 2007 in its publication *Older Australia at a glance*. It suggested that, based on the 2006 census, there were over 2.6 million Australians aged 65 and over. It showed that we have about 69 per cent of Australians in the zero to 49 age group; 17.5 per cent in the 50 to

64 age bracket; 6.8 per cent aged 65 to 74; and 6.2 in the 75 years and over group. So just under 30 per cent of all Australians are in that over-50 age group.

Back to the selfless people who are making an enormous difference to the quality of life of those for whom they provide care: in the strictly financial sense, they also save the Canberra taxpayer, the Australian taxpayer, millions of dollars. We heard about many of these people last week at a carers summit and I congratulate Dee McGrath and her team at Carers ACT on the initiative in bringing this to fruition.

This week is ACT Seniors Week. Nationally, it is the largest event of its kind in the southern hemisphere, with over 900 events planned around Australia. I saw on early morning television this morning that there were surfing lessons on at Bondi Beach for those of a certain age, as part of Seniors Week in that city. In Canberra we appear to be a little more restrained, with a Chief Minister's breakfast, the Grange morning tea, a champagne lunch, an afternoon tea dance, give croquet a go at Queanbeyan, and veterans golf at Belconnen. A little more active are the fitness sessions at Fernwood and Curves gyms.

I note there is also a clogging for seniors demonstration put on by the Silver Sole Cloggers Inc at the seniors expo that Minister Burch opened today. Perhaps Ms Burch can give us a demonstration of her clogging abilities. As an aside, I know that while Ms Burch was opening the seniors expo at the Kingston markets I was playing grandfather at an award assembly at my grandson's school, so we mature age Assembly members are a versatile and active lot.

Targeted programs such as Seniors Week are useful reminders that as a society we should not be ageist; that everyone can and should have the opportunity to make a difference. I urge all members of the Assembly to support this matter of public importance.

MS BURCH (Brindabella—Minister for Community Services, Minister for the Arts, Minister for Multicultural Affairs, Minister for Ageing, Minister for Women and Minister for Gaming and Racing) (4.04): I take the opportunity to talk on the valuable contribution that our older Canberrans provide to our society. They provide a great contribution, and I would like to highlight some of the government's achievements in promoting positive ageing. While the ACT has a relatively young population compared to most other Australian jurisdictions, we have one of the fastest growing populations of older people in Australia, including one of the fastest growing rates of persons aged 85 years and over.

The ageing population will present a range of challenges and opportunities for government in areas such as affordable housing, transport, health, disability, aged care and mature age employment. Long-term planning is required to address the future needs of our ageing population to create opportunities and to remove barriers to allow a growing number of older Canberrans to participate fully and to age well.

Positive ageing is about optimising opportunities for health, participation and security in order to enhance the qualities of life as people age. Positive ageing allows people to realise their potential for physical, social and mental wellbeing throughout their life's

course and to participate in society while providing them with adequate protection, security and care.

This ACT government recognise and values older citizens and their contribution to our community as workers, volunteers, neighbours and carers. We are responding to this changing demographic by putting in place mechanisms to make Canberra a more age-friendly city. We recognise that a future healthy economy is dependent upon maximising the number of people in the workforce. This includes the need to retain and utilise the skills and experience of older workers and remove barriers and disincentives to participation.

The government, through its ACT public service enterprise bargaining agreements, has adopted various initiatives to encourage the continued employment of mature age employees. In mid-2008 the government was the first public sector jurisdiction to introduce provisions allowing for up to 52 weeks grandparental leave without pay to be granted to permanent full or part-time staff and to long-term temporary staff. The government has also been the first to introduce the mature age payment to staff 70 years or older where the payment of employer superannuation contribution is prohibited under the superannuation legislation.

In 2011 we worked in collaboration with the ACT Ministerial Advisory Council on Ageing and the business community to develop an *ACT Business Guide to Older Customers* and an *ACT Business Guide to Mature Workers* in order to promote the positive aspects of employing older workers and to dispel the myths regarding older workers. These guides provide practical information and advice to assist the ACT business community to better understand and respond to the needs of seniors as customers and employees. The guides have been promoted with the assistance of the ACT and Region Chamber of Commerce and Industry and the Canberra Business Council. The guides have been distributed widely to the business community, and some businesses are incorporating them into staff training.

The government also works closely with the newly appointed Ministerial Advisory Council on Ageing and the age-friendly city network, a forum of ACT representatives from government agencies and key seniors organisations that assist in the ongoing implementation of the ACT strategic plan for positive ageing.

In June 2010 Canberra was one of the first cities to join the WHO global network of age-friendly cities, a group of cities that seek to improve living experiences of its senior residents. This invitation was based on the work done in developing the ACT strategic plan for positive ageing 2010-14: towards an age-friendly city, which is a blueprint for a coordinated approach across government and community to support positive ageing and an age-friendly city where older people are respected, valued and supported to actively participate.

Membership of the global network involves a commitment to continually improve the city's age friendliness and genuine engagement with older citizens. To achieve this we have sought out new and innovative ways in which to seek input from older Canberrans. One of these was the older persons assembly held on 30 September last year on the eve of the United Nations International Day of Older Persons. The

assembly was the first of its kind in Australia and provided a unique opportunity for older Canberrans to raise issues important to them. The outcomes of that assembly have been provided to this Assembly, and I look forward to working on that as we move forward to better support our older Canberrans.

Committee hearings were held simultaneously through the older persons assembly in the morning and afternoon with individual hearings chaired by members of the Ministerial Advisory Council on Ageing with support from staff from the Community Services Directorate.

The messages that came from the older persons assembly stressed the importance of effective communication, the need for older people to feel valued and respected, employment and volunteering opportunities, and the need for community support services.

Many of the recommendations related to how we communicate with older Canberrans, and this includes consideration of language and literacy requirements along with the different forms of media used. We have put in line an online seniors information portal, and the Canberra Connect website and the Health Directorate's "find a health service" online portal have also been developed to provide gateways for information.

With the focus on communication in mind, the government continues to communicate information about programs and events through traditional media, such as printed material, radio and telephone, and offers assistance to seniors who wish to increase their technological skills; for example, through ACT libraries with internet for seniors.

In regard to respect, valuing and safety, the delegates at the older persons assembly also emphasised the need to feel respected and valued and expressed a desire to share their experiences with younger generations. Through our seniors grants and sponsorship programs we have supported intergenerational activities such as bringing school choirs into aged-care homes and encouraging young people from multicultural communities to learn traditional cooking skills from their seniors.

The popular annual *Life's Reflections* photographic competition encourages entrants to present a positive image of older people enjoying life and actively participating in their community and staying connected with families and friends. A selection of the images of this competition are on view this week in the Canberra Centre.

In our schools the Australian curriculum and the ACT curriculum framework for preschool to year 10 both address the need for educating our students about the importance of showing consideration for their elders. We also support the establishment of the ACT grandparents day on the last Sunday in October. This celebration will be an opportunity to bring families together to celebrate and honour older people and highlight the contribution that families make to family and community life.

Through the Office for Ageing the government will continue to explore opportunities to highlight personal experiences and stories of older Canberrans. The outcomes of the older persons assembly will be used together with the results of our age-friendly

city survey and report card on our first action plan to develop the next positive ageing plan once the current one expires in 2014.

There was a lot of good energy and a lot of interest in the expo that was held at the Old Bus Depot Markets today. There were 100-plus, I believe, stalls—a whole range of stalls from local community groups and support health groups, both federal government and ACT government alike. There was strong interest in the services and the programs that this community has to offer.

I want to congratulate COTA on the fabulous work they do in putting Seniors Week together each and every year. Mr Doszpot commented about it being somewhat conservative. Perhaps he can take that up with the great team at COTA, but I think it was a fantastic program. Certainly the auditorium at Vikings Club was absolutely chock-a-block yesterday to experience the wonderful music provided by the Royal Military College band from Duntroon.

COTA are asking in a very small, simple and straightforward survey what older Canberrans seek. I will be very interested to work with COTA once their survey comes back. They are asking older Canberrans to say what sort of programs and services they would like to see and what sort of changes they would like to see. I thank COTA for the work they do.

Also, I make comment on Mr Doszpot's reference to Mr Hargreaves. I just find this a very hypocritical commentary from Mr Doszpot. He continues to make slurs and negative comments about Mr Hargreaves, who has stood in this chamber and apologised for his comment. Anyone who wants to go back to *Hansard* will see that the only one making jokes on that day was Mrs Dunne, who sought to move a motion to have time extended for Mr Hargreaves to continue. I cannot remember what her words were, but that came from the Canberra Liberals. They have been trying since then to continue to do this. I note Mr Doszpot was not at the meeting of the Tuggeranong Community Council where this matter was well and truly discussed. I know Ms Bresnan was there. The council had a very open and frank conversation about this. They expressed their disappointment with Mr Hargreaves. They accepted his apologies, and it really should be with some grace that Mr Doszpot does as well.

Mr Doszpot also made note of the great work that volunteers and community groups do in support of those people that are ageing and need support in Canberra. It made me reflect on the question in question time today from Ms Porter about volunteers. It made me reflect again that it was the Canberra Liberals who hypocritically put their hands in the pockets of the very organisations they say do such good jobs, and took from their pockets a grant of \$10,000 that they then provided to their political volunteers. That is at the heart of hypocrisy. They have since paid that \$10,000 back, which has been used for the purpose of its true intention—to support groups such as Uniting Care Kippax, Vinnie's and the Salvation Army.

It is the absolute height of hypocrisy that the Canberra Liberals stand in this place and say, "We support organisations," but at the same time pull \$10,000 out of a grant that was there to support them. They did pay the money back, kicking and screaming, but not long after that they were caught wanting again by misusing Assembly resources

for a fundraiser—perhaps to help them recover the cost of needing to pay back \$10,000.

With respect to supporting older Canberrans, it is an important thing to do. All of us here in this place should support older Canberrans. They are, in many ways, the heart and soul of our community. They built this great city that we live in, and I offer all my support to the older Canberrans.

MS BRESNAN (Brindabella) (4.17): I thank Mr Doszpot for bringing this matter of public importance to the Assembly today. This is an issue that I think all of us here in the Assembly would agree is of great importance. In Seniors Week it is timely to remember and discuss how important older people are to the city. A number of members were at the Seniors Week annual Chief Minister's breakfast on Monday morning and heard from the keynote speaker, Patricia Reeve, a Council on the Ageing life member who has worked on policy for older people. She gave a wonderful and very forthright speech on the issue.

The key issue Ms Reeve pointed out, and it is one which has been spoken about before in the Assembly, is that we typically hear about older people in a negative sense—that is, we always hear the word “burden” used in terms of the impact older people have on the health system, and the growing needs of the ageing population. Ms Reeve spoke about how older people can and do remain healthy and active and about how this should start to be much more of a focus of policies relating to older people. She also talked about the issues associated with older people having limited incomes, including a need for a rise in the pension, a campaign which she is a part of.

The other issue Ms Reeve spoke about in relation to income was about how many older women do not have access to superannuation. She mentioned how not long ago women ceased to receive superannuation when they married, and how now there is an assumption by most in the community that everyone has super to assist them when they retire. The key issue here is that, even for older women who are now or have been earning a wage, it is likely that they have been working fewer years, after having raised a family, and do not have access to superannuation or, at the most, a very small amount. Issues such as being able to afford housing will be significant. It was good to hear Ms Reeve speak about recognition of this issue.

On the issue of being active, encouraging older people to remain active and engaged with the community improves their health outcomes and self-esteem. This is an important part of adopting a more preventative and proactive approach to health and wellbeing. We do of course need to recognise that the population is ageing and that the health system will need to deal with this, including issues such as dementia.

There has been the most recent Productivity Commission report into residential aged-care services, where a more than significant amount of work needs to occur. The key issue in residential aged care—and it is one I have heard from a number of groups and organisations involved in this area—is that older people must be treated with dignity and respect. I believe this fits with the message that comes out of Seniors Week and which should be the focus of the approach taken towards older people. This is one of the reasons the Greens pursued the idea of holding an older persons assembly, and it

was good to hear Vivienne Sinderberry, the president of COTA ACT, speaking of the positive response to the older persons assembly at the breakfast on Monday.

I know many members of the Assembly attended the older persons assembly in September last year and would have seen the enthusiasm and willingness to engage and contribute to debates. The important aspect for me also was that there was a wide representation of older people from across Canberra, including people who would not have been involved in this sort of forum before. I have spoken about the older persons assembly on a number of occasions in the Assembly, but I think it is worth reading again the statement by Alex Fergusson, a member of the Scottish parliament, on the opening of the older persons assembly in Scotland. He said:

The challenge, I would suggest, is not that our population is ageing but that as a society we have perhaps not given enough thought to the positive aspects an ageing population can bring. Nor have we given enough thought to its particular needs or even considered how to capitalise on the skills and experience an older society undoubtedly possesses.

So I think it is absolutely critical that older people are empowered with a strong voice today in order to ensure that our services and policies of tomorrow are fit for purpose. Today's Older People's Assembly should serve as a very public statement that older people's views and their issues and ideas are important and valued in this, your parliament.

I hope that we hold the older persons assembly again in the ACT. I know there is strong support for this to happen. As Patricia Reeve said during her speech at the Seniors Week breakfast, the ACT has an ageing population which is generally healthier for longer, with significant education and experience. We know that a huge number of volunteer organisations would find it hard to function without the time and effort generously provided by older people. Their accumulated skills and knowledge are invaluable.

Organisations such as the Council on the Ageing are enormously important in promoting the rights and wellbeing of older people. COTA also promote the positive aspects of ageing and the contribution that older Australians make to the wider community. They provide avenues for volunteering, opportunities to socialise and representation to government on all aspects of life for seniors. Through surveys and focus groups, COTA have also identified gaps in services and policies and lobbied on behalf of older people to have these omissions corrected. Without them, debate in the ACT and across the country would be much less informed.

Another area in which community groups make a valuable contribution is the provision of educational resources. Lifelong learning is an important element in mental health indicators in ageing. Opportunities to learn new skills or to extend previous learning must meet certain criteria to be accessible to seniors. It must be affordable, since many retirees have limited disposable income. It must be flexible, since health and transport problems might make it difficult to attend regular classes.

There are many courses like this available in Canberra, often run by community organisations. The University of the Third Age is one of the best known, offering

courses on a myriad of subjects to people aged over 50. The teachers of these courses are often seniors themselves, generously sharing a lifetime's accumulation of knowledge with others. Communities@Work also runs several initiatives, including computer workshops for older people and super grands, which links young families struggling with budgeting and time management with a carefully picked older volunteer who can share the tricks and tips of household management that they have learned over the course of many years. This is an outstanding example of using the hard-earned knowledge of older people to assist the wider community.

There are also several other community programs for seniors in Brindabella coordinated by Communities@Work. The Tuggeranong Men's Shed allows older men to maintain social contacts while "doing" rather than just "talking", while the Tuggeranong 55 Plus Club has a book club, many exercise classes, bushwalks and excursions, and has every intention of expanding its range of activities as it grows. I was speaking to someone at the breakfast on Monday who said that they have a significant number of people in their exercise classes at the wonderful new centre by Lake Tuggeranong who are in their 90s. I think this just proves the point made by Patricia Reeve about how important remaining active is and that, if you do remain active, you can do so for a long time.

The importance of these sorts of community initiatives to the social inclusion for older people cannot be overestimated. Social isolation is particularly bad for the physical and mental health of older people. Providing transport for people who are unable to drive or to travel by public transport is one of the ways that Communities@Work contribute to the wellbeing of seniors in our community. Their transport program provides transportation for older people who cannot access public transport, allowing them to do their shopping or to attend appointments or social events.

I should also mention the Canberra gold awards which honour the contributions of people who have been in Canberra for over 50 years. I know a number of members were at that event, which also, obviously, gave the Canberra citizen of the year award. I know Ms Porter and a number of other members were there. This is a great initiative to honour people who have lived, worked and contributed to what Canberra is today.

I would also like to mention the older women's multicultural network, another wonderful group who make a significant contribution in promoting the involvement and respect of older women from multicultural backgrounds in the ACT. I know they also provide their significant knowledge, wisdom and mentoring to younger women from multicultural backgrounds, which is wonderful.

In this year's ACT Seniors Week we can celebrate these initiatives and organisations and provide a welcome recognition of the vital role that older people and all of the community groups for older people play in promoting the important place of older people in the ACT community and the positive and invaluable contribution they make.

MS PORTER (Ginninderra) (4.26): Madam Assistant Speaker, I am sure you are aware of my interest in the area that we are talking about today in the debate on the matter of public importance, not least because of the fact that I turn 70 this year. However, I am sure that all in this place would have a similar interest, given that

becoming older and joining the ranks of older Canberrans is unavoidable unless the unthinkable happens. I would like to take this opportunity to add to the remarks of Ms Burch and other people in this place and to thank Mr Doszpot for bringing this matter forward as a matter of public importance today.

I would like to reflect on a number of government programs and initiatives that support positive ageing and to highlight other ways in which we can engage our older citizens. As the minister said, Canberra has a rapidly ageing population. In order to build on the work of past consultations and the framework established in the ACT strategic plan for positive ageing, a survey was undertaken to identify positive and negative examples of infrastructure and practices and to make suggestions for making Canberra a more age-friendly city. The survey was completed by almost 2,000 ACT residents aged 60 and over.

The response was one of overall satisfaction with Canberra's infrastructure, amenities and facilities, and agreement that Canberra is moving towards being an age-friendly city. Key indicators used in this survey will be used in subsequent surveys to provide a useful measure of long-term change. The results of the survey will be used, together with the outcomes of the older persons assembly and the ACT Ministerial Advisory Council on Ageing report on implementation of the ACT strategic plan for positive ageing, to inform the development of the 2012-14 action plan for the ACT strategic plan for positive ageing.

As members would know, access to appropriate, affordable and innovative housing choices is a key issue for older people and is an important consideration when creating an age-friendly city. I am pleased to say the government has undertaken a vast amount of work in this area, in terms of both tangible products and policy development.

As part of the commonwealth government's nation building initiative, the ACT received \$87 million to construct social housing. Under the program, approximately 297 older persons units were constructed in eight suburbs of Canberra. These were adaptable, purpose built, energy efficient and easy to live in and maintain. Older tenants whose current home was larger than they required were encouraged to apply for these dwellings and were supported in their move through a transition support package tailored to their individual relocation needs.

Beyond this initiative, properties are being constructed to support the adoption of liveable housing design guidelines under the capital construction program. The introduction of the liveable design features will allow public housing to be easily adapted as people age, supporting the concept of ageing in place. Older people can also still register to apply to move into more suitable accommodation such as aged persons flats or units.

Earlier this year the ACT government promoted 19 new properties across Canberra that were available for lease under an ACT government funded initiative which has already eased the rental burden for six older Canberra couples. The come home affordable rental scheme, run by the ACT Affordable Rental Office, offers homes within older persons public housing complexes at a 25 per cent discounted rate to eligible older couples and individuals who currently rent in the private market.

These are just some of the current and future initiatives and programs that the government is supporting in the area of housing for older Canberrans.

I have before the Assembly at the moment my bill in relation to retirement village regulation, which I am sure members are aware of and interested in. I am sure they are looking forward to the debate on this bill at a later stage.

We all know that the safety and wellbeing of our older citizens is a major consideration for this government's planning processes.

Through our elder abuse prevention program, we aim to reduce and prevent incidents of elder abuse through community awareness raising, accessible information and referral systems, service response guidelines and staff training. The program is coordinated by the Office for Ageing, with advice from the ACT Ministerial Advisory Council on Ageing and the Elder Abuse Prevention Network, which includes representatives from the Human Rights Commission and various community sectors and organisations. This is an important program that seeks to protect some of the most vulnerable people in our community. I encourage everyone to familiarise themselves with the program.

Of course, there are many ways that we work together as members in this place to promote the needs of older Canberrans. Another way in which I work as a local member for Ginninderra to improve the lives of older Canberrans is through my representation on the maintenance of footpaths and other local infrastructure, such as parks and street furniture. It is important that we remain active and involved in the community, as other members have said here today in this place. For instance, if a person believes that he or she is unable to walk safely in their own suburb, they may be disinclined to go out.

Socialisation is of concern, as Ms Bresnan has just been saying. It is certainly a concern of this government. A number of strategies and policies to prevent older people from becoming isolated in their own homes have been initiated by this government. These include community transport programs; the ACTION gold card; the active transport objectives in the transport policy; assistance to seniors clubs; dedicated space in older persons unit complexes for social activity; and the support of Seniors Week, which we have just been talking about, and associated activities.

I would like to join with other members in this place in congratulating COTA and all those people who helped organise the seniors breakfast on Monday morning—and everyone who has been so busy in getting together that program of many and varied activities. I hope that people are able to avail themselves of those many activities.

It would be remiss of me to not acknowledge the many older Canberrans who work as volunteers and family carers. This activity is not limited just to older Canberrans; we know that there are many young people who volunteer and who are caring for family members. However, I recognise that enormous effort and an enormous contribution are made by older Canberrans as volunteers and as carers of family members. They do so much to improve and sustain our wellbeing.

I would also like to recognise the organisations that Ms Bresnan was mentioning. There are too many. I am sure she could have got out the contact book and mentioned many more. There are many organisations in this town that support the activities of older people, many of them run by older people themselves.

I will just reflect on the men's shed movement. I recently visited one of the men's sheds in my electorate and met many members in that men's shed. I really appreciate the work they do to improve the lives of older men in their area and I would really like to thank them for the work.

These are just some ways in which this government, and in fact our community itself, is working to support older Canberrans and to create an age-friendly city. It is one in which our older citizens are supported, respected and encouraged to participate. I think that we in this place are all interested to promote that and to support that. Thank you very much, Mr Doszpot, for bringing this matter to us today.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): It appears the discussion has concluded.

Adjournment

Motion by **Dr Bourke** proposed:

That the Assembly do now adjourn.

Sport—cricket umpires Charnwood Community Carnival ActewAGL Canberra area theatre awards

MR COE (Ginninderra) (4.35): Madam Assistant Speaker, I have spoken a number of times in this place about ACT sporting organisations and the contributions made by all involved. Today I would like to place on the record my admiration for the dedication and commitment shown by umpires of all sports, but in particular in the lead-up to the grand finals on the weekend in cricket.

I would like to acknowledge the umpires council of Cricket: ACT chairman, Ken Brazel; deputy chair, Nick Ewbank; secretary, Stuart Grocock; chair of appointments and umpires observer, Damian Eason; and the general liaison officer, Don Harding.

Cricket umpires play a vital role in the smooth running of matches played in the ACT and operate in an impartial, professional manner at all times. I very much value the contribution that officials make to sport in general and in particular those who volunteer at cricket matches on a weekly basis and make the sport the enjoyable pastime that it is.

Madam Assistant Speaker, I would like to acknowledge the organisers and volunteers of the ninth annual Charnwood Community Carnival, affectionately known as the Charny Carny, which will be held this coming Saturday, 24 March. The carnival,

which is a much loved event in the west Belconnen community calendar, began in 2003 when a small group of parents waiting for their kids to finish preschool were discussing the local community and the challenge of raising funds for their respective schools in west Belconnen.

Through the passion and enthusiasm of the initial joint coordinators, Janette O'Sullivan and Michael Pilbrow, the inaugural carnival was a success and it was decided that it should become an annual event. With their vision and passion, Janette and Michael led a group of volunteers from St Thomas Aquinas primary and Charnwood-Dunlop primary for the next seven years. The tremendous efforts put in by this group, teamed with amazing support from the schools and local community groups, especially the Mount Rogers scout group, who in 2011 became partners in the event, has resulted in the carnival getting bigger and bigger every year.

Last year the joint coordinator roles were handed over to Measa Cox and Linda West who, I am told, have stepped in with new ideas and new enthusiasm. Of course, a great event does not just happen by chance and a large group of volunteers work tirelessly year round to organise the carnival. As soon as one is over, they move straight into planning the following year. I look forward to participating in this year's event and encourage everyone who can to go along.

Madam Assistant Speaker, on 25 February I and a number of members of this place attended the CAT awards. As I have done in the past, I would like to acknowledge the winners. The best set designer for a play was Cate Clelland for design and Russell Brown for realisation for *The Pig Iron People*.

The best set designer for a musical was Ian Macdonald for *My Fair Lady*. The Loan Market Weston best costume designer for a play was Jeanette Brown for *Out of Order*. The best costume designer for a musical was Lindsay Whitehead for *My Fair Lady*. The best costume designer for a school or youth production went to Lyn Townsend for *The Wizard of Oz* and Sarea Coates, Pauline Simonetti and Cindy Hereth for *The Jungle Book*.

The AMB best lighting design went to Adrian Rytir for *Blood Brothers*. The Recruitment Systems technical achievement went to the production team for the special effects in *Le School*. The John Thomson magic moment of theatre went to the principal's coat from *Le School*. The Caphs of Manuka best original work went to Peter Best for the script and music of *Goldilocks & The Three Bears*.

The Dalton Peace Real Estate best original work for a school or youth production went to Felix Schwartz for *Le School*. Best ensemble in a play went to the cast of *Grimm Tales*, Hawker college. The TransACT best ensemble in a musical went to Rebecca Brown, Emma Forde and Alex Carroll as Alexandra Spofford, Jane Smart and Sukie Rougemont, the three witches in *The Three Witches of Eastwick*.

The Sarah Byrne best orchestra for a school or youth musical went to *Beauty and the Beast* from Kinross Wolaroi school. The Patricia Kelson encouragement award went to Denise Dion, Loretta Walsh, Jennie Hughes and Judy Davidson for first time directing for *Four Women, Four Plays*, Spectrum Theatre Group, and Miriam Rivzi for first time choreography of *Grease*.

The Association of Community Theatre best youth actor in a feature role or play went to Jake Brown as Mr Collins in *Pride and Prejudice*. Association of Community Theatre best youth actor in a featured role in a musical went to Nathan Fernandez as Lumiere in *Beauty and the Beast*. The Association of Community Theatre best youth actress in a featured role in a play went to Olivia Hewson as Danielle in *Cockroach*.

The Association of Community Theatre best youth actress in a featured role in a musical went to Olivia Fisher as Babette in *Beauty and the Beast*. The best youth actor in a leading role in a play went to Tom Atkin as Stephen in *Dealer's Choice*. The best youth actress in a leading role in a play went to Rebecca Attanasio as Lizzie in *Pride and Prejudice*. The best youth actor in a leading role in a musical went to Jordan Read as Daddy Warbucks in *Annie* and Evan Kirby as Valjean in *Les Misérables*.

The best youth actress in a leading role in a musical went to Maddie Furner as Nancy in *Oliver!* The Ryleho Homes best variety performance by an individual or ensemble went to Helen Barnett, Dallas Watts, Raymond Khong and Julie O'Connor for "Time to Say Goodbye" and "Table Tennis" in *Jazz Garters*.

The Glass best actor in a featured role in a play went to Graham Robertson as Jack in *The Pig Iron People*. The Co-Op Bookshop best actor in a featured role in a musical went to Blake Appelqvist as William Barfee in *The 25th Annual Putnam County Spelling Bee* and Will Huang as Rod in *Avenue Q*. I will continue with the remainder on Tuesday. (*Time expired.*)

Mr Brendan Smyth
Mr Zed Seselja

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (4.40): I rise in the Assembly this evening to return to what will now be the second in an occasional series of what I have been calling SmythBusters. SmythBusters, I will just remind members, are the need to stand up and correct some of the myths propagated by Brendan Smyth from time to time in this place.

Tonight's SmythBuster is in relation to claims made by Mr Smyth in a media statement that he released on 22 March titled, "Gallagher cans Corbell's dud fire management reforms." In that media release, Mr Smyth asserts that reforms allegedly proposed by me had been canned by the Chief Minister in relation to the structure of the fire management unit.

I draw to the attention of members, in fact, what the Chief Minister and I have actually said on the matter. On 20 March Mr Smyth asked the Chief Minister a question about whether or not there would be any report on any possible restructure of the fire management unit following a resolution of the Assembly last year. On 21 March the Chief Minister said: "Yesterday Mr Smyth asked a question around a report on the fire management unit, or a report back to the Assembly. There have been no changes to the fire management unit so therefore, there has been no need to report

to the Assembly.” The Chief Minister did not say that she had canned any reforms. That is an entirely separate matter.

But what is perhaps more telling, of course, is what Mr Smyth asked me in almost exactly the same terms on 22 September last year. He asked me what was the status of my report in response to the Assembly’s motion of 29 June asking for certain information about the fire management unit. I said, in part:

No restructure of the fire management unit has yet occurred, and I intend to report to the Assembly before any such action is taken.

That is almost exactly the same answer that the Chief Minister gave earlier this week, but that, of course, has not stopped Mr Smyth from, once again, putting out one of his myths. I am pleased to bust it this evening.

I would also like to turn to a letter that appeared in the *Canberra Times* on 21 March this year from—I assume it is a woman—Robyn Coghlan, who is the convenor of the friends of Hawker village. In this letter, Ms Coghlan makes some claims and refutes assertions that the friends of Hawker village are affiliated with any political party.

What is particularly interesting about this letter is that it relates to comments made by the Leader of the Opposition, Mr Seselja, on 21 February this year in an interview on Ross Solly’s breakfast program on ABC local radio. In that, Mr Seselja said: “I understand the friends of Hawker village were set up after a meeting which Alistair Coe organised in conjunction with people like Tio Faulkner and Vicki Dunne. He set up a meeting. He got this issue going. That group grew out of that.”

I really am now left wondering who to believe. In the letter to the *Canberra Times* of 21 March this year, Ms Coghlan writes:

The Friends of Hawker Village are concerned that recent suggestions in the media about a relationship with the ACT Liberal Party have left some members of the community questioning the motivation and independence of the Friends of Hawker Village. The Canberra Liberals are not, nor ever have been, “a driving force” behind the Friends of Hawker Village. The Friends has never had and never will have a political affiliation with any party or independent person; it is a community group not a political group.

Robyn Coghlan, Convenor, Friends of Hawker Village.

I have no reason to doubt Ms Coghlan’s claims in relation to that matter, but I think it throws very real doubt on the comments the Leader of the Opposition, Mr Seselja, made in his interview on ABC radio on 21 February this year where he said that the friends of Hawker village were set up after a meeting with Alistair Coe organised in conjunction with people like Tio Faulkner and Vicki Dunne. “He set up a meeting. He got this issue going.” It really raises further questions about this very murky matter.

University of Canberra—Japanese language program

MS BRESNAN (Brindabella) (4.45): On Tuesday this week a petition from 1,076 people was tabled in the Assembly by the manager of government business to

preserve the Japanese language program at the University of Canberra. The petition states:

Dear Reader,

The University of Canberra has proposed to cancel the Japanese Language Program. As a current student of the program I urge everybody to help convince the preservation of such a great university course.

With many students in the middle of their degrees this cancellation would cause so much stress and many problems. Especially for the ones who decided to go to university to specifically learn the Japanese Language.

The Japanese Program has allowed many students to learn the language and culture, which is important in the current globalizing world and especially in our very multicultural Australia. It has helped create great friendships with many Japanese students on exchange at the university and also while benefiting local students, it is a very attractive course for international students.

The university has agreements with several universities in Japan and while we have students anticipating going on exchange in Japan, we also receive many Japanese students to learn English. This is a great way to represent our university and our country.

Please help us maintain this excellent, well developed language course with the best, most encouraging teachers by signing this petition.

The past students, current students and future students appreciate your help.

The Japanese program at UC is long running, with an excellent record for quality teaching. The program maintains stable and healthy enrolment numbers, despite no longer being a mandatory part of any degree. The program is run by a small number of committed staff. It is well differentiated from the renowned Japanese centre at ANU, targeting a different demographic by offering a more flexible learning environment.

In addition to the intrinsically internationalised course content of the Japanese program, the students have opportunities to study in Japan through various scholarships from both the Japanese and Australian governments. Students of the Japanese program, together with international students from Japan, run the UC Japan Club. It is truly international in its membership and activities and is very actively engaged in UC events, such as open day and O-week, reinforcing the image of an internationalised campus culture to both visitors and fellow students.

The exchange relationships also create significant business opportunities for the UC English Language Institute, contributing substantially to their revenue. Students of the Japanese program also play a crucial role in the English Language Institute's operations by welcoming and supporting newly arriving Japanese students. They contribute immensely to positive impressions of UC among Japanese students and its subsequent popularity.

The Japanese program thus contributes to the University of Canberra in a unique way, well beyond the boundaries of the faculty. The program internationalises campus culture, fosters Asian language and culture literacy among students, creates business opportunities with Japanese universities, enhances student satisfaction scores and enhances the attractiveness of UC to potential students.

I would like to acknowledge a student of the program, Andrew Seach, who was instrumental in starting the petition, and also the lecturers of the program, Dr Yuko Kinoshita and Dr Nicolette Bramley, who do a wonderful job in teaching this program at UC. I do hope that it stays a part of the UC program and its courses.

Canberra Seniors Centre

MR HANSON (Molonglo) (4.49): I rise tonight to recognise the Canberra Seniors Centre. Recently the board of management of the Canberra Seniors Centre wrote to me inviting me to attend a birthday lunch on Thursday, 8 March, which I did, at their centre at 10 Watson Street in Turner. Their monthly lunch celebrates the birthdays that occur in that month for their members and offers those members a free lunch.

I was invited to make a speech to the Seniors Centre on my portfolio of health, which I did, but throughout questions I went into other matters. A broad range of issues were discussed, and there was great interest shown by the members of the Seniors Centre in the matters of the Assembly.

I would like to thank the club president, David Rymer, for his invitation, and I thank Patricia Gration, the welfare officer and CEO, and Gabe, whom I sat with at lunch.

A number of activities took place, including the singing of a number of songs. It was an Irish theme, so a number of people were wearing green on the day. Certainly there was a significant Irish theme to the singing. I note that most of the songs contained a reference to a rose or roses; I do not know if that was intentional or not. It was a fantastic lunch, very well catered, and enjoyed by all the members of the Seniors Centre.

Of the issues discussed one that warrants particular attention is the issue of parking. Attendance at the Seniors Centre is a monthly occasion for the members; it gives them an opportunity to get out and about, socialise and meet up with their mates. Unfortunately, because of the parking situation in Turner, it is very difficult for many members to get out and participate: either they cannot find a park or they have to park so far away that for these elderly members, many of whom have a number of disabilities, it is very difficult to do so.

It just highlights that, for people who do not have access to public transport and for people such as seniors who need the security of their motor vehicles, if we do not have adequate parking in our cities, in our city centre and in other areas, our elderly, our senior citizens, in this case, as we see, are denied the ability to get out, socialise and participate in this regular event that provides such a good venue where they can meet up with their friends and colleagues. I raise that as an issue; it is one that I will be following up.

I would like to congratulate the Canberra Seniors Centre and the members on the great club that they run. I thank them, particularly the president, David, and all the members, for hosting me for what was a very enjoyable and entertaining lunch.

Mr Joel Lyneham
Mr Chris Steel

MS BURCH (Brindabella—Minister for Community Services, Minister for the Arts, Minister for Multicultural Affairs, Minister for Ageing, Minister for Women and Minister for Gaming and Racing) (4.53): I want to rise very briefly and acknowledge that two of my longer serving staff will be leaving my office tomorrow. They are telling me that these are great opportunities for them. I do not think there is a greater opportunity than working in the office for Minister Burch, but these two young men, Chris Steel and Joel Lyneham, will be finishing up in my office tomorrow.

Joel Lyneham has been with me since I came to this place in 2008. We have both been part of the learning curve which many of us of the class of 2008 have gone through. Joel has been with me since the beginning of that. He has worked as my chief of staff when I was a backbencher and also when I was a minister, when I came to that role—in 2009, from memory; it seems so long ago. He has also worked with the Office of Multicultural Affairs. He has had a strong interest in Indigenous affairs and arts and has been a stalwart—the backbone in working with our constituent inquiries.

Towards the latter part of last year Joel took a well-earned break. He came back and has made the bold decision to relocate to Adelaide. So South Australia will be the beneficiary of Joel Lyneham. I am sure he will settle into South Australia and find his feet and grow into his new job and his new life there. But I just wanted to thank Joel. He has been the source of support in the office and also, at some level, an ongoing source of entertainment for the office. Joel will be missed.

Chris Steel, who has been with me since I became minister, has been the adviser for the office for youth and family services. He is an incredibly bright young man. He is taking up an opportunity with a federal member in the Australian federal government, and I wish him well in those endeavours.

Chris has worked incredibly hard to make a difference for Canberra families, and I want to thank him for his work in the office. He has been there through a very tough year last year, through youth justice and care and protection issues, but he has held his own. He has a very clear policy head and has provided me with great support. Canberra families are a beneficiary of his policy acumen; scholarship programs, investment in children's services and a whole range of policy areas will make our vulnerable young Canberrans and the families of Canberra value the work that a Labor government does when we collectively put our minds to it. Chris also will be missed.

There will be new staff starting in my office tomorrow, so you will see two new faces around the tracks next week, but I did want to put on formal notice my sincere and heartfelt thanks to both Joel Lyneham and Chris Steel.

Question resolved in the affirmative.

The Assembly adjourned at 4.57 pm until Tuesday, 27 March 2012, at 10 am.

Answers to questions

Sentence Administration Board—annual report (Question No 1987)

Mrs Dunne asked the Attorney-General, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Sentence Administration Board, Justice and Community Safety Directorate annual report, Volume 1, page 273, what was the backlog of parole applications to be heard by the Board as at 30 June 2011.
- (2) How long is it between receipt of a parole application and the Board's hearing of that application on average.
- (3) What is the Board's target time delay between receipt of application and Board hearing.
- (4) How do these figures compare with other jurisdictions.
- (5) Is there a need for speedier turnaround times; if so, what strategies does the Board have in place and operating to achieve this turnaround.

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

- (1) As at 30 June 2011 the Secretariat had received 21 applications for parole which had not yet been considered by the Board.

The Sentence Administration Board (SAB) endeavours to hear all parole applications prior to the expiration of the parole eligibility date or non-parole period (NPP). Detainees may apply for parole within the six month period leading up to their NPP. The SAB Secretariat takes into account each detainee's NPP when scheduling matters for the SAB; therefore, not all applications are put before the SAB as soon as they are received, particularly where they are received early in the six month period.

- (2) Once the application is acknowledged by the SAB as being received it is set down for an inquiry by the SAB, where the case is considered on the papers. This generally occurs approximately eight weeks after acknowledgement of application, due to the provision in the Memorandum of Understanding (MOU) between the SAB and the Probation and Parole Unit (PPU) that allows an eight week period for the PPU to provide a Pre Release Report.

If the matter goes to a hearing where the offender is able to appear in person, this will generally occur in a further two weeks' time (when the inquiry SAB Chair is again presiding).

- (3) The SAB endeavours to have matters at hearing prior to the expiration of the detainee's NPP.
- (4) The ACT is the only jurisdiction where a detainee must apply for parole. In all other jurisdictions parole is an automatic process and therefore it is difficult to compare.

(5) The SAB endeavours to hear all parole applications prior to the expiration of the NPP; however, issues regarding timeframes arise particularly when

- an offender is given a backdated sentence and an NPP date is imminent or immediate, or
- an application for parole is received close to or after the expiration of the NPP.

In these instances the SAB Secretariat may negotiate with the PPU for Pre Release Reports to be prepared outside of the provisions of the MOU.

Alexander Maconochie Centre—Official Visitor (Question No 1989)

Mrs Dunne asked the Attorney-General, upon notice, on 14 February 2012
(*redirected to the Minister for Corrections*):

- (1) In relation to the 2010-11 annual report of the Official Visitor, Justice and Community Safety Directorate annual report, Volume 1, page 271, how many Alexander Maconochie Centre (AMC) detainees contacted the Official Visitor directly during 2010-11.
- (2) How many AMC detainees did the (a) Human Rights Commission, (b) ACT Ombudsman or (b) Prisoners' Aid refer to the Official Visitor.
- (3) What was the nature of those direct contacts and referrals, in general terms, and how did the Official Visitor deal with them.
- (4) In relation to page 272, is the Attorney-General able to say what the Official Visitor's view is of the resourcing issues at AMC that would constrain the ability of complaints, issues and other matters to be resolved.
- (5) Is the Attorney-General able to say what the Official Visitor's view is, in general terms, about whether recommendations or suggestions are being actioned satisfactorily by the AMC.
- (6) How many books did LexisNexis provide to the AMC library during 2010-11.
- (7) In relation to the library referred to in part (6), what is the (a) current stock of books, (b) range of books held and (c) Official Visitor's assessment of the patronage of the library by detainees

Dr Bourke: The answer to the member's question is as follows:

- (1) The former Official Visitor, Mr Jeremy Boland, identified that he received 373 discreet complaints from detainees at the Alexander Maconochie Centre. Ms Tracey Whetnall, the Indigenous Official Visitor, did not provide statistics for that period.
- (2) During 2010-11, the following number of referrals were made to the Official Visitor by:
 - a) Human Rights Commission – 18
 - b) ACT Ombudsman – 2
 - c) Prisoner's Aid – 0

- (3) While Mr Boland identified in his reports the number of complaints which were referred to him by other organisations, he did not identify the nature of the issue in the majority of cases. I am aware that matters such as complaints regarding strip searches, segregation and investigations were referred to the Official Visitor. I understand that he dealt with these matters.
 - (4) While Mr Boland noted that many complaints, issues and concerns (raised by detainees) related to matters that are the subject of resource and other constraints, he did not, in any of his reports, express his concerns regarding resourcing issues at the AMC.
 - (5) Both Official Visitors provide a number of insights into how ACT Corrective Services have responded to complaints. Mr Boland reported that he was able to submit records of complaint made to him by detainees within a week of each visit and receive a response to his queries within a further week. He also had full access to a range of staff including the Superintendent, his deputy and other senior staff. Ms Whetnall stated in her reports that the staff at the AMC made themselves available to respond to her questions and to discuss complaints which were raised.
 - (6) Approximately 110 books have been provided by LexisNexis to the AMC library during 2010-11, including multiple copies of some books.
 - (7) In relation to the library referred to in part (6):
 - (a) The AMC library currently has a reported stock of approximately 3,400 books.
 - (b) The books held range across the following genres:
 - fiction—short stories, picture books, graphic novels and readers;
 - philosophy and religion;
 - social sciences, law and crime;
 - Indigenous studies;
 - mythology;
 - English and foreign language dictionaries;
 - self help, nutrition, exercise and cooking;
 - science, maths, physics and astronomy, animals and plants;
 - arts, drawing, manga and music;
 - sport;
 - ancient and modern history and geography;
 - Shakespeare, poetry and other literature;
 - biographies; and
 - Chinese, Thai and Vietnamese texts.
 - (c) The Official Visitor is not in a position to comment on the patronage of the library, however, statistics maintained by the librarian demonstrate that the facility remains a popular resource within the AMC with an average of 107 books borrowed every week.
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**Legal Aid Commission—annual report
(Question No 1990)**

Mrs Dunne asked the Attorney-General, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Legal Aid Commission, to what extent will the mitigation of the risk of financial liquidity reduce frontline services to clients.
- (2) Does the Commission expect to be able to maintain or improve on the 68% approval rate against applications received, page 21; if not, why not; if so, how.
- (3) What was the quantum of the efficiency dividend and other cost saving measures that the Commission was required to achieve in 2010-11.
- (4) Were those targets referred to in part (3) met; if not, why not.
- (5) To what extent did these dividend and savings measures impact on service delivery.
- (6) How is visitation to the website trending since July 2011.
- (7) What was the total cost of staff learning and development during the reporting period as a percentage of total employee costs.
- (8) What is the Commission's target percentage cost of learning and development to total employee costs.
- (9) When is it anticipated the Commission will meet that target.
- (10) What is the aged analysis of payables as to current, that is, within trading terms, overdue (a) up to 30 days, (b) 30-60 days, (c) 60-90 days and (d) 90 days or more.
- (11) What strategies does the Commission have in place to ensure creditors are paid within terms.
- (12) Does the Commission pay interest on overdue amounts; if not, why not; if so, how much was paid in 2010-11.
- (13) How long does it take, on average, for creditors' invoices to be processed to the accounting system after receipt.

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

- (1) The Commission manages demand within the resources available to it. As noted in the annual report, the impact of expensive criminal cases continues to be of concern and consideration is being given to how the impact might be lessened.

The Commission does not anticipate any reduction in preventative, early intervention, duty lawyer, advocacy, dispute resolution or community legal education services. Whether grants of legal assistance will be affected depends on factors such as the level of demand, the number of expensive criminal cases funded by the Commission and future revenue levels. The Commission is continuing to monitor the situation with a view to minimising the impact on the delivery of services.

- (2) Approval rates depend on the number of applications received by the Commission that satisfy eligibility criteria under the *Legal Aid Act 1977*. These criteria include a means test, a reasonableness test, and guidelines for assistance determined by the Commission under the Act. Approval rates fluctuate according to the number of applications the Commission receives that satisfy these criteria. Eligibility criteria may need to be adjusted from time to time to ensure that the cost of legal assistance remains within budget. Approval rates in the future may therefore vary as a result of factors such as those outlined in the answer to question 1.
- (3) \$19,000
- (4) Yes.
- (5) There was no impact.
- (6) The Commission installed software to track website usage in October 2010. The average monthly number of website visits from 1 January 2011 to 30 June 2011 was 1988.67. The corresponding figure for the period 1 July 2011 to 31 December 2011 was 1957.67.
- (7) 0.69%
- (8) The Commission does not set a target cost of learning and development, but provides training opportunities to staff according to their needs. The training and professional development needs of staff are identified as part of the performance appraisal process and staff are encouraged to undertake training programs that meet individual and organisational needs. Legal practitioners must achieve a minimum of ten hours continuing professional development (CPD) each year to maintain eligibility for a practising certificate. A large proportion of CPD is achieved at low cost to the Commission as a result of running in-house CPD sessions and participating in seminars and workshops conducted in conjunction with community legal centres. The Commission also pays for staff to attend CPD programs run by the ACT Law Society and other external providers.
- (9) Not applicable. See response to question 8.
- (10) As at 30 June 2011

	Current	Up to 30 days	30-60 days	90 days or more
Trade Creditors	\$29,935.26	\$11.43*	-	-
Legal Creditors	\$40,146.45	-	-	-
Total	\$70,081.71	\$11.43	-	-

As at 31 January 2012

	Current	Up to 30 days	30-60 days	90 days or more
Trade Creditors	\$114,425.67	-	\$660.00*	-
Legal Creditors	\$37,658.48	-	-	-
Total	\$152,084.15	-	\$660.00	-

*Queried accounts

- (11) The Commission has documented policies, procedures and systems, supported by regular staff training and management overview, to ensure all creditors are paid within terms.
 - (12) The Commission does not pay interest on overdue amounts because creditors are paid within terms unless an account is queried or disputed.
 - (13) All creditors' invoices are processed to the accounting systems within 7 days of receipt.
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**Human Rights Commission—annual report
(Question No 1991)**

Mrs Dunne asked the Attorney-General, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Human Rights Commission, what matters of advice did the Human Rights Commissioner give to the Attorney-General during 2010-11.
- (2) Given that the Discrimination Commissioner is required to promote the principle of equality of opportunity for all people, page 2, is the Attorney-General able to say in what way does the right of a school student to truancy impact on that student's opportunity for education compared to students who do not engage in truancy.
- (3) In relation to the Commission's Vision, page 3, to what extent does the Commission consider (a) the rights of the ACT community are respected and promoted, (b) responsibilities are understood and (c) access to quality services is protected.
- (4) What is the progress of the implementation of the Reconciliation Action Plan, page 4, and is this progress running according to plan; if not, why not.
- (5) In the Commission's assessment, for how long can the Commission's current resources sustain the level of business being undertaken.
- (6) To what extent in any year would the Commission be distracted from its normal day-to-day business and how do these distractions impact on the Commission's ability to deliver on its day-to-day business.
- (7) What flexibility is there in the Commission's resourcing to deal adequately with these distractions.
- (8) Typically, what is the nature of the distractions referred to in part (6).
- (9) What approaches has the Commission made to the Government as to the capacity of its resourcing to deal with its business and what has been the response.
- (10) What was the quantum of the efficiency dividend required of the Commission for 2010-11.
- (11) Did the Commission deliver on the dividend referred to in part (10); if not, why not; if so, what did the Commission do to achieve it.

- (12) Was the Commission required to deliver on any other cost saving measures; if so, what were they and what was the quantum.
- (13) Did the Commission deliver on the savings referred to in part (12); if not, why not; if so, what did the Commission do to achieve it.
- (14) What additional resourcing, including accommodation and equipment, would the Commission require were it to become fully independent, with its own appropriation funding.
- (15) What is the Commission's vision in relation to an in-house civil complaints mechanism.
- (16) What would be the implications for the courts and tribunal.
- (17) Across the various Commission roles, to what extent do commissioners follow up on complaint outcomes and recommendations, for example, the outcomes listed at pages 13-14; if no follow up is done, why not.
- (18) Is the Attorney-General able to say whether, in general, the Commission is satisfied as to the action taken in response to the complaint outcomes and recommendations made by the various commissioners.
- (19) If the Commission is not satisfied, what further action does it intend to take.
- (20) If the Commission does not intend to take further action, why not.

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

1. Under the *Human Rights Act 2004*, the Human Rights Commission's functions include reviewing the effect of territory laws on human rights and reporting in writing to the Attorney-General. During the 2010-11 year, the Commission undertook one such review, the Human Rights Audit of the Bimberi Youth Justice Centre. The Human Rights Commissioner made a range of submissions to Government on other issues, which are specified from page 26 onwards of the Human Rights Commission's Annual Report 2010-11, and include corrections, amendments to workers' compensation and compulsory third party insurance legislation, working with vulnerable people checks, the Prostitution Act review and gender identity law reform.
2. The Commissioner has a statutory obligation to handle all complaints of unlawful discrimination and consider, and if necessary respond to, public statements encouraging such behaviour. The Commissioner is not aware of any 'right of a school student to truancy' but does recommend an amendment to the Human Rights Act to include economic, social and cultural rights, such as the right to education.
3. The Commission has not undertaken research to determine the extent to which rights are respected, promoted and understood in the ACT community, nor the extent to which access to quality services is protected across the ACT. The Commission's vision is aspirational and it undertakes its functions with a view to moving the community in this direction.
4. On 13 December 2012, the Commission provided a report to Aboriginal and Torres Strait Islander stakeholders about progress against the targets of the Reconciliation

Action Plan. The report indicated that progress is running to plan and is available on the Commission's website.

5. The Commission's current resources dictate its current level of business. The Commission has raised concerns with Government, however, about growing complaint backlogs, failures to meet service standards, workplace health and safety, and an inability to undertake all of its statutory functions. The Commission has expressed the view that additional resources are required beyond the current financial year.
 6. The Commission has advised that it is not distracted from its normal day-to-day business.
 7. See answer to question 6.
 8. See answer to question 6.
 9. See answer to question 5. The Commission's current discussions with Government about resources are Budget-in-Confidence.
 10. The Commission's efficiency dividend for 2010-11 was \$28,000.
 11. The Commission delivered on the dividend through foregoing expenditure in relation to supplies and services.
 12. Not applicable.
 13. Not applicable.
 14. Neither the Commission, nor the Government, have undertaken this analysis at this stage.
 15. The Commission does not understand this question.
 16. See answer to question 15.
 17. Recommendations are made only in relation to service complaints and not discrimination complaints (as discrimination matters may proceed to ACAT if not resolved through Commission processes).

Formal recommendations are registered in the Commission's database and are followed up until implemented. In relation to less formal matters where suggestions are made, complainants will usually report back to the Commission if improvements have not been delivered, which will trigger further inquiry by the Commission. The Commission does not follow up on complaint outcomes in all cases, as resources are targeted at the most important matters.
 18. The Commission is, in general, satisfied with the action taken in response to complaint outcomes and recommendations made by the various Commissioners.
 19. See answer to question 18.
 20. See answer to question 18.
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**ACT Electoral Commission—annual report
(Question No 1992)**

Mrs Dunne asked the Attorney-General, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the ACT Electoral Commission, what process did the Commission follow in determining its redistribution of ACT electorate boundaries.
- (2) Did the Commission take into account the number of non-enrolled 18 year olds when determining the electorate redistribution; if not, why not and what difference would it have made to the outcome if it was taken into account.
- (3) What is the likelihood of future on-line voting so that voters can cast their votes from home or other places where they have access to the internet.
- (4) What information, data and voter feedback is the Commission using to inform the development of the information and communication technology voting system.
- (5) In relation to page 10, what matters arose that required a review of the scanning of ballot papers from the 2008 election.
- (6) What changes will be in place for the 2012 election.
- (7) What feedback has the Commission received following the launch of its new website.
- (8) Has the rate of webpage hits increased since its launch.
- (9) Does the Commission anticipate it will conduct the election within the budget boundaries based on past performance; if not, why not.
- (10) What was the quantum of the efficiency dividend and other cost saving measures that the Commission was required to achieve in 2010-11.
- (11) Were those targets referred to in part (10) met; if not, why not.
- (12) To what extent did meeting those targets impact on service delivery.
- (13) What was the total cost of staff learning and development during the reporting period as a percentage of total employee costs.
- (14) What is the Commission's target percentage cost of learning and development to total employee costs.
- (15) When is it anticipated the Commission will meet the target referred to in part (14).

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

The ACT Electoral Commissioner has advised me as follows:

- (1) In determining the redistribution of electorate boundaries for the 2012 ACT Legislative Assembly election, the ACT Redistribution Committee and the ACT

Augmented Electoral Commission followed the process prescribed in Part 4 of the *Electoral Act 1992*. The detail of the process followed is set out in the Augmented Electoral Commission's *Redistribution Report – ACT Legislative Assembly Electoral Boundaries Redistribution 2011*, tabled in the Assembly on 27 October 2011.

- (2) Section 36 of the *Electoral Act 1992* requires the Augmented Electoral Commission to endeavour to ensure, as far as practicable, that the number of electors in an electorate at the time of the next general election of members of the Legislative Assembly will not be greater than 105% or less than 95% of the expected quota for the electorate at the time.

To estimate the number of electors anticipated to be on the roll at the time of the next election, the Electoral Commission requests assistance from the Australian Bureau of Statistics to calculate projected enrolment by suburb/locality at the time of the October 2012 election. This calculation was undertaken for the 2011 redistribution process by taking the actual enrolment statistics as at 30 September 2010 as the starting point for the calculations, and applying population projections to those enrolment statistics.

The enrolment statistics as at 30 September 2010 included those electors who were enrolled for the August 2010 federal election. It is estimated that at this time around 84% of eligible 18 year olds in the ACT were enrolled on the electoral roll. Basing redistribution enrolment projections on the state of the roll immediately following the roll close for a general election is desirable as it takes account of the higher level of enrolment compliance that is evident at the time of a roll close. As a result, the projections used for the 2011 redistribution were intended to take account of the likely level of enrolment of 18 year olds (and all other age groups) at the time of the 2012 election.

- (3) Amendments to the *Electoral Act 1992* would be required to implement on-line or internet voting for Legislative Assembly elections. Whether on-line voting is implemented in future is a matter for the Assembly. The Electoral Commission is unaware of any proposals to introduce on-line voting for the 2012 Assembly election.
- (4) The ACT's electronic voting and counting system, eVACS[®], has been used at the 2001, 2004 and 2008 ACT Legislative Assembly elections. After each election, the Electoral Commissioner has reviewed its operation using feedback from the public, polling officials and in particular, the Electoral Commissioner's ICT systems development reference group. This reference group includes representatives of political parties, MLAs, academia, disability groups and other relevant organisations, such as the Proportional Representation Society. The electronic voting system to be used at the 2012 election will be similar to the system used in 2008, with relatively minor and technical changes to the system made to enable the system to run on modern hardware.
- (5) The electronic scanning of ballot papers and interpretation of preferences on those ballot papers using Intelligent Character Recognition technology was used for the first time at the 2008 election. The Electoral Commission has adopted as standard practice the conduct of reviews of its information and communication technology systems used at each Legislative Assembly election. The purpose of these reviews is to assess the effectiveness of the systems used and to determine if any improvements to systems and/or procedures are desirable. As discussed at page 19 of the Electoral Commission's Annual Report 2010/2011, the review of the operation of the scanning system was undertaken as part of this standard practice of reviewing these systems. In

particular, as this was the first time this system was used, the review focussed in particular on assessing the accuracy of the software in its interpretation of preferences. There were no matters that arose during the operation of the scanning system that led to the decision to undertake this review.

- (6) The review of the scanning of ballot papers system verified the high level of accuracy achieved by the system, but did identify a small number of areas where improvements could be made. For the 2012 election the scanning system software will be updated to ensure the program reads the Robson rotation number printed on each of the right and left corners of the bottom of the ballot paper. This will overcome an issue that arose where the corner of one ballot paper was folded over, obscuring the single Robson rotation number normally read by the software. Operational procedures will also be updated to ensure that rulings on ballot papers made by the Electoral Commissioner are not later inadvertently overruled by another official.
- (7) In 2010/2011 the Electoral Commission undertook a major upgrade of its website, to update the look and feel of the site and to introduce a content management system. However, the content of the site, which contains extensive information about the ACT's electoral processes, did not change significantly. No notable feedback from the public has been received by the Commission regarding its revised website.
- (8) The frequency of webpage hits to the Electoral Commission's website has remained consistent with previous activity records since the implementation of its revised look and feel in February 2011. The Commission did not anticipate an increase to website traffic after the changes made as the information presented on the site did not substantially change. While the website has a relatively stable rate of traffic throughout most of the year, it does experience the occasional spike when matters of public interest arise such as the recent redistribution of electoral boundaries activity. As 2012 is an election year, the Commission is expecting a gradual build up in its website traffic with a significant increase at the commencement of the official election period, culminating on election night when the public will be able to access live results on the website through the newly redeveloped Election Results Display System.
- (9) Yes.
- (10) \$10,000.
- (11) Yes.
- (12) In 2010/2011 savings were achieved as the Commission's electoral education/information officer acted for part of the year as the office manager while the officer manager took on the role of an election ICT systems upgrade project manager (paid using ICT capital funds). As a result, the electoral education program was implemented on a reduced scale in 2010/2011.
- (13) In 2010/2011 the cost of staff learning and development activities was \$735, which represented 0.12% of the Commission's \$589k employee expenses. Note that several of the learning and development activities undertaken by staff and listed on page 68 of the Commission's 2010/2011 Annual Report were undertaken at no cost to the Commission.
- (14) The Commission does not have a target percentage cost of learning and development to total employee costs. As the Commission's employee budget varies according to

the electoral cycle, it is not appropriate to set a percentage target for learning and development costs. As noted on page 68 of the Commission's 2010/2011 Annual Report, each staff member is allocated an average of \$1000 in the Commission's budget each year for learning and development. In addition, in Legislative Assembly election years, training is provided using in-house resources to election casual staff, with a structured on-line and face-to-face training program implemented for polling staff.

- (15) The Commission's target expenditure on learning and development activities of an average of \$1000 per permanent staff member per year is expended on an average basis over several years, dependent in part on the electoral cycle and on each staff member's personal learning and development requirements. In the lead up to a Legislative Assembly election, the opportunity to undertake formal training is generally reduced as staff are fully engaged on the election. In non-election years, learning and development expenditure may exceed the average yearly allocation. For example, \$8760 was spent on external learning and development activities in 2009/2010. The Commission expects to meet its target expenditure on learning and development activities on an average basis over each 4 year election cycle.

Director of Public Prosecutions—annual report (Question No 1993)

Mrs Dunne asked the Attorney-General, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Director of Public Prosecutions (DPP), what resources would the DPP require in order to meet the demands placed on the office.
- (2) To what extent has the wide range of efficiency initiatives, such as CASES, the new paralegal structure and the revision of records management, alleviated the resourcing pressures.
- (3) What was the quantum of the efficiency dividend and other cost saving measures that the DPP was required to achieve in 2010-11.
- (4) Were those targets referred to in part (3) met; if not, why not.
- (5) To what extent did meeting those targets impact on service delivery.
- (6) Given the wide range of matters dealt with at a practical level by the DPP during the reporting period, is the Attorney-General able to say whether the DPP considers it has a role to bring emerging policy matters to the attention of the Government; if so, what analysis did the DPP make as to policy issues that emerged during the reporting period.
- (7) What policy suggestions or recommendations did the DPP make to the Government during the reporting period and how did the Government respond to those policy suggestions or recommendations.
- (8) What was the total cost of staff learning and development during the reporting period as a percentage of total employee costs.

(9) What is the DPP's target percentage cost of learning and development to total employee costs.

(10) When is it anticipated the DPP will meet the target referred to in part (9).

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

1. The Director of Public Prosecutions (DPP) has indicated what its resource requirements are for the next financial year through the budget process. This will be considered by Government in the context of priorities across the broad range of ACT Government Services.
 2. I am advised by the DPP that while the measures referred to promote efficiency and transparency of business processes, the office is not in a position to quantify specific savings from those measures.
 3. The quantum of the efficiency dividend and other cost saving measures that the DPP was required to achieve in 2010-11 was \$69,000.
 4. I am advised by the DPP that this target was met, largely through reduced use of external General Counsel.
 5. The DPP has advised that there was an impact on service delivery, and this is reflected in the inability to meet the targets in the Accountability Indicator in output 1.4, JACS Financial Statements, specifically, percentage of cases where court timetable is met in accordance with Courts' rules.
 6. The DPP has a role in bringing emerging policy matters to the attention of the Government. This may be in relation to specific issues of law and procedure, which arise in the course of the prosecution of cases, or it may be a more general referral of issues that emerge in the criminal law in Australia. The DPP did make a number of such referrals to the Attorney and his Directorate during the period.
 7. The DPP brought a range of matters to the attention of the Government.

As indicated by the Chief Minister in her 2012 Legislation Program speech, the Government will bring forward a Crimes (Miscellaneous Provisions) Bill in 2012 to address many of the issues drawn to the Government's attention by the DPP.
 8. The total cost of staff learning and development (including conference, training and associated travel and accommodation costs) during 2010-11 as a percentage of employee expenses (excluding superannuation) was 1.2%.
 9. The DPP has advised that it has budgeted \$80,000 for learning and development for the current financial year. This is approximately 1.4% of budgeted total employee cost (excluding superannuation).
 10. The DPP has advised that it is unable to predict when the target will be met as the achievement of the target is dependent upon the financial position of the office from year to year.
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**Crime—victims
(Question No 1994)**

Mrs Dunne asked the Attorney-General, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Victims of Crime Support Program and the community based services to victims of crime, pages 8-9, which agencies had expressed interest in providing a victims of crime service prior to deciding to put community based services to victims of crime to a tender process.
- (2) Which community-based agencies did the Directorate hold discussions with in relation to the delivery of community based services prior to publishing an invitation to tender for a new contract to start in early 2012.
- (3) What changes were made to the Directorate's past service delivery expectations for the purpose of development of the service as outlined in the tender.
- (4) To what extent did the tender encourage collaboration between community-based organisations in submitting tenders.
- (5) What pre-qualification process was required of potential tenderers and what were they expected to demonstrate.
- (6) What are the terms of the contract given to the successful tenderer.
- (7) In relation to the Victims Services Scheme, page 11, what is the quantum and type of resources that must be found in order to remunerate Approved Providers appropriately in the victims' services scheme.
- (8) Where will these resources come from and what discussions are underway to secure them.
- (9) In relation to advocacy for victims of crime – systems advocacy, page 13, what is being done to alleviate the inefficiencies associated with the collection and storage of victim contact information.
- (10) When will a new system be implemented.
- (11) Why is it so difficult to collect and store this information.
- (12) In relation to Domestic Violence Project Co-ordinator, page 13, why will it be difficult for the Commissioner to perform adequately the functions of the Domestic Violence Project Co-ordinator in 2011-12.
- (13) What resources would be required to enable that role to function effectively.
- (14) What discussions have taken place for appropriate resourcing in future years.
- (15) In relation to management discussion and analysis, page 14, has the Government responded to the resourcing challenges highlighted in the last two annual reports of the Victims of Crime Co-ordinator; if so, what was the response; if not, why not.

- (16) What resources would be required to avert the challenges facing the Commissioner in future.
- (17) In relation to table 8, Type of Crime, page 27, why is such a large proportion of offences (13%) not recorded as to the type of crime committed.
- (18) In relation to table 9, Relationship to Offender, page 28, why is it that the relationship between the offender and the victim is not recorded in such a large proportion of cases (20%).
- (19) In relation to table 10, Approved Service Provider Fees, what procurement method is used to choose the panel of service providers.
- (20) Are there any gaps in the range of professional expertise provided on the panel; if so, what are they and how is the demand for those services met.
- (21) How much was paid to service providers in 2010-11 and what is the budget for 2011-12.
- (22) In relation to staff learning and development, page 40, how much, as a percentage of total employee costs, was spent on staff learning and development during 2010-11.
- (23) What is the Commissioner's target as a percentage of total employee costs.
- (24) When is it anticipated to reach the target referred to in part (23).
- (25) In relation to Victims of Crime Financial Assistance, table 3, Awards by type of crime, page 48, what are the criteria for eligibility of award payments.
- (26) How are award amounts calculated.

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

- (1) Supportlink and Communities@Work had previously expressed an interest during the 2010-2011 community consultation budget process.
- (2) The Directorate did not hold any discussions of this type. The Victims of Crime Commissioner had joint discussions with VOCAL and Communities@Work about a proposal for those agencies to deliver services collaboratively.
- (3) Greater emphasis was placed on the delivery of a volunteer program that would be tailored to provide very specific services, such as court support, assistance with financial assistance applications and the delivery of a community awareness program.
- (4) The tender did not specifically encourage collaboration between community-based organisations.
- (5) There was no pre-qualification process.
- (6) The contract terms may be found on the Shared Services Procurement website.
- (7) Victim Support ACT (VSACT) pays psychologists and social workers a fee of \$120.

The quantum cannot be definitively identified as it is dependent upon the mix of services that are delivered to clients and the amount of those services. As an indication however, Psychology fees represent approximately 30% of total fees paid to Approved Providers.

- (8) Resources are allocated through the normal budgetary process.
- (9) Discussions have commenced with both the AFP and DPP about establishing protocols with VSACT that will enhance the sharing of information. The Victims Advisory Board has agreed to oversee the development of these protocols.
- (10) The timing for the development of protocols between agencies is dependent upon a range of factors that are unique to each agency.
- (11) Each justice agency has its own database. Obtaining information for victims can be difficult as most of the databases operate on accused persons details.
- (12) The Victims of Crime Commissioner is an independent statutory office holder. He has not indicated to me that he does not have capacity to perform the role of the Domestic Violence Project Coordinator.
- (13) The Commissioner is primarily responsible for managing the administration and service delivery functions of VSACT, as well as the delivery of the Victims Services Scheme. Should the Commissioner feel that additional resources are required to perform the Domestic Violence Project Coordinator role, he has the opportunity to submit proposals for consideration as part of the normal budgetary process.
- (14) I have regular discussions with the Victims of Crime Commissioner in regards to access to services for victims. The appointment of the Commissioner in 2011, builds on the Government's amalgamation of victim advocacy and support services within VSACT to ensure a 'one-stop-shop' for victims of crime.
- (15) Additional funding (\$531,000 per annum ongoing and indexed) was provided to VSACT in 2007-08 to provide an expanded service delivery to victims of crime and improve the overall response to victims in the Criminal Justice System. Also additional ongoing funding was provided to VSACT as part of the Sexual Assault Reform program initiative in 2008-09.
- (16) The Government will consider the resourcing and funding needs of VSACT in the context of priorities across the broad range of ACT Government services.
- (17) The Victim Support database does not contain any mandatory fields and as a consequence, not all fields have been routinely completed. Following the last annual report, Victim Support ACT has put in place some steps to ensure better data collection. Please note also that clients do not always provide this information.
- (18) See answer for question 17.
- (19) Open tender process.
- (20) The panel has a limited number of Clinical Psychologists and no Psychiatrists. Clients in need of these services are referred to practitioners in private practice.

- 21) \$405,478 was paid to service providers in 2010-11, which was higher than the estimated budget of \$350,000. The internal budget in 2011-12 is \$377,000.
- 22) The total cost of staff learning and development paid by VSACT was 1.26% of total employee costs. VSACT staff members also participated in other learning and development programs, which were co-ordinated by the Directorate during the reporting period.
- 23) The Commissioner does not have a learning and development target.
- 24) The Commissioner does not have a learning and development target.
- 25) The “criteria for eligibility of award payments” are set out in Part 2 of the *Victims of Crime (Financial Assistance) Act 1983* (the “**Act**”). Those who are eligible are
- **primary victims** (section 10 of the Act), being persons who are injured as a direct result of a violent crime committed against him or her or whilst assisting a police officer (section 9 of the Act). (“Violent crime” is defined by reference to offences against various sections of the *Crimes Act 1900* as set out in section 3 of the Act),
 - **persons responsible for the maintenance of a primary victim** (section 10 of the Act), and
 - **related victims** (section 17 of the Act), defined as persons who were related to or had a personal relationship with a primary victim who dies as a result of sustaining a criminal injury.
- 26) Award amounts are calculated by reference to the Act.

Section 10 of the Act provides that the Magistrates Court may award financial assistance to a **primary victim** calculated by reference to

- expenses reasonably incurred by or on behalf of the victim as a consequence of the injury,
- pecuniary loss as a consequence of incapacity for work because of the injury,
- the expense incurred in making an application for financial assistance other than by way of fees paid to a lawyer (this relates to things such as medical and police reports),
- where injury is extremely serious, special assistance in an amount of \$30,000,
- where the victim is a police officer, ambulance officer or firefighter and the injury was sustained in the course of the exercise of the victim’s functions as such, special assistance by way of compensation for pain and suffering in an amount of up to \$50,000 and
- where the crime involved a certain sexual offences under the *Crimes Act 1900*, special assistance by way of compensation for pain and suffering in an amount of up to \$50,000.

Section 10 provides that a **person responsible for the maintenance of a primary victim** may recover:

- expenses reasonably incurred as a result of the injury and
- pecuniary loss suffered as a consequence of the injury if the loss is a result of the person’s inability to work (eg, while caring for the primary victim).

Sections 17 and 19 provide that a **related victim** may recover

- any expense reasonably incurred as a consequence of the primary victim's criminal injury and death,
- the pecuniary loss suffered as a consequence of the primary victim's criminal injury and death,
- the expense incurred in making an application for financial assistance other than by way of fees paid to a lawyer and
- special assistance of \$30,000 or, where there is more than one related victim (such as where the primary victim is survived by a wife or husband and children) the proportion of \$30,000 that the Magistrates Court considers appropriate.

The maximum amount that can be awarded in relation to a criminal injury is \$50,000 (section 14).

Commissioner for Sustainability and the Environment—annual report (Question No 1996)

Mrs Dunne asked the Minister for the Environment and Sustainable Development, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Commissioner for Sustainability and the Environment and significant organisational change, page 2, has the Government failed to respond to the Commissioner's report, dated September 2009, the work for which was initiated by the Government; if so, why.
- (2) In relation to audit/assessment of Government agencies' environmental performance reporting, page 4, has the Government failed to respond to the Commissioner's report, dated 22 October 2010; if so, why.
- (3) In relation to investigation into the tree management and urban forest renewal programs, page 4, has the Government failed to respond to the Commissioner's report, dated 3 March 2011; if so, why.
- (4) In relation to report on Canberra Nature Park, Molonglo River Corridor and Googong Foreshores Reserve, page 5 and given (a) that the Minister tabled this report in the Assembly on 25 October 2011 and in his tabling speech stated that as is customary in responding to the commissioner's investigation reports, the Government intends to respond as soon as possible and (b) the Government's record in relation to the three reports referred to in parts (1) to (3), what time frame does the Government put on as soon as possible.

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

- (1) The former Commissioner for Sustainability and the Environment submitted her report : *Expanded Role of the Office of the Commissioner for Sustainability and the Environment* (the Report) on 29 September 2009.

The Government has discussed the Report with the Commissioner's Office and has developed a draft policy position on each of its recommendations.

On 14 February 2012 the ACT Greens presented the *Commissioner for the Environment Amendment Bill 2012*. The Government is considering the Commissioner's Report in the light of the review and this Bill which proposes amendments similar but not identical to recommendations made in the Commissioner's Report.

- (2) Under the *Commissioner for the Environment Act 1993* the only requirement placed upon the Government to respond to a report prepared by the Commissioner is in regard to the State of the Environment report.

On 29 March 2011, the Minister wrote to the Commissioner for the Environment thanking her for the report and advising that the Government has already commenced action on several initiatives relevant to the recommendations in the report, such as the establishment of sustainability Data Management System across Government, and the development of the Carbon Neutral ACT Government Framework.

The Government (Chief Minister) tabled the Commissioner's Audit/Assessment of the ACT Government Agencies' Environmental Performance Reporting on 6 December 2011. It was done as part of the government response to the public Accounts Committee report on Performance Reporting.

The Government notes that the report in question is currently available to the public on the Commissioner for the Environment's website.

- (3) The Government tabled its response to the Commissioner's tree investigation report in February 2012 and agreed or agreed in principle with 40 of the 44 recommendations and sub-recommendations.
- (4) The Commissioner's Investigation Report on Canberra Nature Park, Molonglo River Corridor and Googong Foreshores Reserve raises a number of complex issues. The Government is considering the report in detail with the aim of providing a whole-of-government response by mid 2012.

Environment and Sustainable Development Directorate—annual report (Question No 1997)

Mrs Dunne asked the Minister for the Environment and Sustainable Development, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Environment and Sustainable Development Directorate, why was the annual report design and layout and font size and colour so poor as to be difficult to read, particularly for sight-impaired people, but even for people with full sight capacity.
- (2) What is the Directorate's strategy in terms of the design of next year's annual report.
- (3) In relation to financial statements, payables, note 26, page 145, what was the ageing of payable as to (a) current, for example, within terms of trade, (b) overdue by 30 days, (c) overdue 30-60 days, (d) overdue 60-90 days and (e) overdue more than 90 days.
- (4) What is the average time taken after receipt of creditors invoices for them to be entered onto the accounting system.

- (5) In relation to performance against accountability Indicators, page 190, and Output 1.1, page 198, why was the water quality report (Accountability Indicator C) not delivered until June 2011 against a target of October 2010.
- (6) In relation to conservation planning and research, page 233, what restoration work remains to be done at Jerrabomberra Wetlands and what is the budget and timeline.
- (7) What is being done to eradicate the scotch thistle infestation at Jerrabomberra Wetlands.
- (8) What is being done to enhance the visitor experience at Jerrabomberra Wetlands, particularly for bird-watchers.
- (9) In relation to natural environment and resource management, page 234, have all associated staff now been brought together, including rangers; if not, why not and when will they be.
- (10) In relation to caring for our country initiative, page 235, what are the accountability and assessment/evaluation requirements for each of the programs and activities in this initiative.
- (11) What funding did the ACT Government provide for each of the programs and activities referred to in part (10).
- (12) In relation to rainwater tank rebate, page 246, what modelling has the directorate done on the viability of domestic rainwater tanks in terms of (a) economic and (b) environmental benefits.
- (13) Do the sustainable diversion limits proposed for the ACT in the draft Murray-Darling Basin Plan impact on that viability.
- (14) What impact do domestic water tanks have on environmental flows and capturing of stormwater.
- (15) Is the net benefit of domestic rainwater tanks positive or negative.
- (16) If the net benefit of domestic rainwater tanks is negative, why is the Government promoting their installation through subsidies.

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

- (1) The Environment and Sustainable Development Directorate (ESDD) 2010-11 Annual Report complied with the requirements set out for format and publication in the Chief Minister's 2010-11 Annual Report Directions. The Annual Report was also made available online at the environment.act.gov.au website as a Rich Text Format (RTF) document, which can allow screen readers to identify what is being displayed on screen and then represented to the user with text-to-speech, sound icons or a Braille output device. Screen readers are typically used by people with disabilities, including the visually impaired.
- (2) ESDD has not yet commenced planning for the design of the 2011-12 ESDD Annual Report, however will continue to address accessibility for all ESDD documents through Web Content Accessibility Guidelines (3.0) to make web content more accessible. The printed copy will be a larger format this year, with larger font size.

- (3) As stated in the financial statements, all payables were current and within terms of trade as at 30 June 2011.
- (4) The average time taken between the issuing of an invoice and the entry into the Oracle system is 18 days.
- (5) In relation to performance against accountability Indicators, page 190, and Output 1.1, page 198, why was the water quality report (Accountability Indicator C) not delivered until June 2011 against a target of October 2010.

The reason for a delay in the drafting of the water report for 2009-2010 was that new data on water use and compliance was included in the report to align with a range of Commonwealth reporting formats. This water use and compliance data was not available in the same timeframe as the water quality data that the reporting timeframe has been based upon. A similar issue of data availability occurred with the 2011 report, although not to the same extent due to a greater understanding and a more streamline process to accommodate the new Commonwealth requirements. It is now evident that the target for the report needs to be revised because of the inclusion of data required for Commonwealth purposes.

- (6) The Jerrabomberra Wetlands Plan of Management was released in 2010 as prepared by the Conservation Planning and Research Unit, which is now within ESDD. The Jerrabomberra Wetlands are managed in the Territory and Municipal Services Directorate (TAMSD). The Government has allocated over \$2.1m over three years commencing 2010-11 to identify capital improvements that may be considered in future years. Currently a Draft Master Plan is in production and is expected to be made available for public comment in March 2012.
- (7) The Scotch Thistle is identified in the ACT Weeds Strategy (2009-2019) as requiring control action at high priority sites throughout the ACT. At Jerrabomberra Wetlands the focus has been on areas of major infestation totalling an area of 6 to 10 hectares. Treatment has included physical removal for small areas around assets, and slashing and spraying of the remaining broad acre areas. As is the case with many weed species, eradication may be a long term target, whilst effective control is the short term aim.
- (8) Jerrabomberra Wetland is recognised as one of the most valuable freshwater wetland habitats in the ACT and adjoining NSW region. A key deliverable in the management of the Wetlands is to provide recreational opportunities which are consistent with preserving the area's natural and cultural values. Current facilities, including the existing walking track system and 5 bird hides are managed to a high standard and are recognised by local bird watchers as a premier viewing site in the ACT. The Draft Master Plan will also identify future options to enhance the visitor experience, including walking tracks, boardwalks and bird hides.
- (9) The Natural Environment and Natural Resource Management Program teams, together with Conservation, Planning and Research are part of the Policy Division of ESDD. Rangers and other operational staff remain within TAMSD as they deliver a range of complementary land use management services within that Directorate.
- (10) It is a requirement of the Funding Agreement with the Australian Government in relation to the *Caring for our Country* initiative that a performance and financial report is provided twice in each financial year of the program. The first report is to

the end of November, the second to the end of June. These reports are provided on a template prepared by the Australian Government and require information to be provided on agreed program milestones and outputs, consistent with the Commonwealth endorsed monitoring, evaluation, reporting and improvement (MERI) strategy.

An additional financial report is required to the end May indicating the anticipated financial result for the program as at 30 June 2012.

Evaluation of projects is undertaken in accordance with the endorsed MERI strategy. This includes a requirement on all delivery partners under the program to undertake a self-evaluation of their contribution to the program as part of their end of project reporting. The MERI officer employed in ESDD that coordinates monitoring and evaluation also undertakes external evaluations of project components.

The ACT Natural Resource Management Council (NRM), an advisory body to the Minister for Environment and Sustainable Development, has as one of its responsibilities to oversee this form of investment. The Council advises the Minister on the effectiveness of this investment and advises on funding priorities.

- (11) The ACT Government provided \$473,000 in 2010-11 as a complementary contribution to the program. The ACT contribution was directed to the following activities:

• Community Catchment Group Coordination	\$167,000
• ACT Community Waterwatch Program	\$119,000
• Engaging Urban Communities in Landscape Conservation	\$65,000
• Support for the ACT NRM Council	\$59,258
• Native Seed Bank and Seed Production	\$27,000
• ACT Frogwatch Program	\$24,000
• Monitoring and evaluation	\$11,742

- (12) a) The ACT Government's Rainwater Tank Guidelines for residential properties in Canberra contains the modelling of water savings on which the rainwater tank rebate water savings were estimated. Based on water saving and cost assumptions, a levelised cost (\$3.31/ kL) was calculated for the program. This is higher than the current ActewAGL first tier charge of \$2.33 / kL and compares favourably with the second tier charge of \$4.66/ kL.

While rainwater tanks are not as cost effective as some other water efficiency measures, they offer diversity of supply and also provide environmental benefits (please see b below)

b) In addition to providing an alternative source of water, rainwater tanks serve two additional functions in urban water management. Firstly rainwater tanks reduce the run-off from urban areas so fewer pollutants are transported to our lakes and streams, protecting the environmental values in those bodies of water. Secondly, rainwater tanks in developed areas reduce the size of the peak storm flow, delaying the need for augmentation of stormwater infrastructure in suburbs with significant residential infill. Recent research by the Institute for Sustainable Futures, University of Technology Sydney, found that the Rainwater Tanks Rebate program produced measurable and statistically significant savings and calculated that the average saving per household was 16.7 (\pm 6) kl per year.

- (13) The sustainable diversion limits proposed for the ACT in the draft Murray-Darling Basin Plan do not impact on the viability of domestic rainwater tanks.
- (14) As urban development increases, the natural water cycle becomes modified. There is a dramatic increase in stormwater runoff and associated pollutants, causing serious degradation of our natural river systems. Using rainwater tanks to capture excess surface water generated by urban development helps to reduce these environmental impacts and create a water cycle more like the cycle that existed before urbanisation.

The substitution of potable water with rainwater also means that less water is extracted from the river system to create the potable supply.

- (15) When taking the water saving potential and the other environmental benefits into account, the net benefit of domestic rainwater tanks is positive.

The ACT Government has implemented rainwater tanks as part of a strategy to diversify water supply sources and to reduce potable water consumption. There are also educative benefits relating to self managing water use of site and a greater appreciation of scarcity. The cost of rainwater tank installations have reduced significantly over the last few years as the industry has become used to the requirements and as the volume of supply has risen.

- (16) The net benefit is positive.

Cultural Facilities Corporation—annual report (Question No 1998)

Mrs Dunne asked the Minister for the Arts, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Cultural Facilities Corporation and the social capital program, page 17, how is this scheme promoted.
- (2) What is the annual budget in terms of the value of tickets to be made available.
- (3) What criteria are used to determine entitlement to tickets.
- (4) What feedback has the Corporation received in response to this program.
- (5) Do independent event promoters participate in partnership with the Corporation; if so, to what extent; if not, why and to what extent is the Corporation encouraging such partnerships.
- (6) What other opportunities does the Corporation consider viable under the social capital program.
- (7) In relation to the Nolan Collection, page 18, what visitor numbers have been recorded for the Nolan collection since it was transferred to Canberra Museum and Gallery (CMAG).
- (8) How does this compare to visitor numbers when it was housed in the Nolan Gallery at Lanyon.

- (9) What is the current condition of the Nolan Gallery at Lanyon.
- (10) What is the intended future use of the Nolan Gallery at Lanyon.
- (11) What is involved and what will it cost to refurbish the building for that purpose.
- (12) In relation to the theatre retained earnings fund, page 21, what negotiations took place with ACT Treasury to enable the Corporation to establish a retained earnings fund.
- (13) What impact will this fund have on the percentage cost to government per patron.
- (14) In relation to the new lyric theatre, page 21, what is the status of the strategy to plan for a new lyric theatre.
- (15) What is a new lyric theatre likely to cost.
- (16) What changes would a lyric theatre mean for the Canberra Theatre in particular and the Canberra Theatre/Playhouse precinct in general.
- (17) What are those consequential costs likely to be.
- (18) In relation the CMAG, page 30, what has been the trend over the past few years in terms of visitor attendance at exhibitions and programs at CMAG.
- (19) What assessment has the Corporation made as to this trend in future years.
- (20) In relation to historic places, page 38, did the hours of opening of Lanyon, Calthorpe's House and Mugga Mugga remain unchanged during 2010-11; if not, what changes were made and why.
- (21) What have been the trends over recent years in terms of visitor numbers at these venues.
- (22) What assessment has the Corporation made of future trends.
- (23) In relation to whole of Corporation (financial outcomes), page 63, what efficiency dividend and other savings was the Corporation required to achieve in 2010-11 and were those targets achieved; if not, why not.
- (24) Were these savings achieved in addition to the cost-cutting measures that were implemented to counter the downturn in theatre business during the year.
- (25) In relation to staff learning and development, page 80, what was the total cost of staff learning and development, expressed as a percentage of total employee costs, for 2010-11.
- (26) What is the Corporation's goal in terms of this percentage relationship.
- (27) When does the Corporation anticipate it will meet that goal.
- (28) In relation to financial statements, Creditors and Accruals, page 185, why, at 30 June 2011, were payments totalling almost 10% of the Corporation's creditors overdue by 30 days or more.

(29) Has the situation referred to in part (28) now been rectified.

(30) What is the Corporation's creditor management policy.

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

- (1) The program is promoted by the Canberra Theatre Centre who contact organisations which match the genre for the show and offer tickets to the relevant organisation.
- (2) There is no specific annual budget set for the value of the tickets under the program. As noted on page 48 of the 2010-11 Annual Report of the Cultural Facilities Corporation (CFC), tickets to the value of \$28,200 were distributed under the program in 2010-11.
- (3) The criteria to determine entitlement to tickets requires the organisation to be a community, volunteer or charitable organisation within the Canberra region.
- (4) The CFC receives excellent feedback regarding the program, including letters expressing appreciation and noting the program provides access to live theatre for people who would not otherwise have the opportunity to attend.
- (5) Some independent producers participate in the scheme. The CFC encourages partnerships between independent producers with suitable programs and organisations which represent people who have a special interest in those programs.
- (6) There are opportunities to extend the program subject to budget availability and staff to administer the program.
- (7) Separate visitor data are not collected for each separate gallery space within Canberra Museum and Gallery (CMAG). It is noted approximately 40,000 visitors a year visit CMAG.
- (8) Approximately 5,000-7,000 people a year visited the Nolan Collection when it was housed at Lanyon.
- (9) The former Nolan Gallery building is in a fair condition.
- (10) The ongoing future use is yet to be determined for the former Nolan Gallery building.
- (11) See previous answer.
- (12) The CFC has been involved in a number of discussions with the Treasury Directorate regarding the purpose and accounting treatment of a retained earnings fund. These discussions are ongoing.
- (13) The establishment of a retained earnings fund would not have any impact on the cost to government per patron. If such a fund were established, this may result in the ability to bring larger shows to the Canberra Theatre Centre. It would be anticipated the result over time would be a reduction in the cost to government per patron.
- (14) The development of a new lyric theatre has been identified by the CFC as a strategy in the CFC's 2011-16 Strategic Plan, objective "A performing arts centre for the future".

- (15) The cost of a new lyric theatre would depend on many factors, including its design and scale.
- (16) It would mean larger national and international shows could be staged at the Canberra Theatre Centre, generating a higher volume of patron traffic and would bring a wider range of performing arts to Canberra.
- A new lyric theatre would mean the existing Canberra Theatre could be used primarily for one-night hires, community and town hall type uses.
- (17) Consequential costs cannot be estimated at this stage.
- (18) Visitation trend to CMAG has been upwards in the past few years.
- (19) The CFC is seeking to continue this trend in future years and is implementing initiatives to maximise visitation on an ongoing basis.
- (20) The regular opening hours at the three historic sites remained unchanged during 2010-11. The sites were, however closed at certain times as a result to undertake conservation works and due to the impact of adverse weather conditions, as specified on page 19 of the CFC's 2010-11 Annual Report.
- (21) It is not possible to identify visitation trends accurately at Lanyon and Mugga Mugga in recent years due to: a change in visitor counting methodology at Lanyon during 2009-10; and site closures for an extended period in 2010-11 resulting from adverse weather conditions. Visitation at Calthorpes' House has trended slightly upwards since 2008-09.
- (22) The CFC will seek to maximise visitation at these sites in the future, subject to conservation considerations relating to the fragility of parts of the sites, especially the interiors of Calthorpes' House and Mugga Mugga.
- (23) In 2010-11, the CFC implemented a 0.5% efficiency dividend (\$38,000). The CFC also made savings to address the impact of EBA and CPI increases. The CFC achieved these targets and recorded an operating result for the year that was slightly better than budget. This outcome was assisted by higher than budgeted donations. Further details are at page 211 of the CFC's 2010-11 Annual Report.
- (24) Yes.
- (25) The total cost of staff training and professional development of \$36,518 is 0.6% of employee expenses. The CFC also accesses staff training and professional development opportunities that have no direct cost.
- (26) The CFC does not set a specific target for this.
- (27) Not applicable.
- (28) At 30 June 2011, ten invoices from four vendors were recorded as overdue by 30 days or more. Of these, five invoices totalling \$40,534 (97.5% of those overdue by more than 30 days) were on hold pending the outcome of disputed costs. All five invoices related to payments to other areas of the ACT Government Service. The remaining five invoices totalling \$1,005 were delayed due to late receipt and/or processing.

(29) Yes.

(30) The CFC's creditor management policy is listed on page 170 of the CFC's 2010-11 Annual Report under Note 2 - Summary of Significant Accounting Policies (q) Payables. It states all amounts are normally settled within 30 days after the invoice date.

**Work Safety Commissioner—annual report
(Question No 1999)**

Mrs Dunne asked the Minister for Industrial Relations, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Work Safety Commissioner, Justice and Community Safety Directorate (JACSD) annual report, Volume 1, page 41, why was it necessary to undertake revisions of existing guidance and advisory material in 2010-11 in the knowledge that the new work health and safety legislation was coming.
- (2) What did it cost to undertake those revisions.
- (3) How much will it cost for the further revisions in light of the new legislation.
- (4) What review work will the Construction Industry Advisory Group do on the outcomes of the investigation into the collapse of the Gungahlin Drive Extension bridge.
- (5) What will the Group recommend to WorkSafe in terms of practical educative campaigns to raise awareness of issues and improve standards of performance relating to matters that contributed to the collapse of the bridge.
- (6) Why does the Commissioner, as a statutory office holder, not publish an annual report separate to the JACSD annual report.

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

- (1) The revision of existing guidance material began in June 2010 and involved bringing together guidance material developed by the Office of the OHS Commissioner and material provided by Workcover following the creation of WorkSafe ACT and the bringing together of these two offices in May 2010. At that stage, harmonisation was 18 months away and a national bill and regulations were still to be agreed. Efforts were made to avoid work that would have to be redone in 18 months time. One clear and very successful example of the revised material involved the creation of a new website combining material from the previous OHS Commissioner and Workcover websites.
- (2) All of this work was done within existing budgets.
- (3) The revision of guidance material for the new harmonised legislation is ongoing at this stage with the ACT participating in work being done under the auspices of the Heads of Work Safety Authorities to harmonise guidance material across all jurisdictions. Some 80% of the work was completed by end January 2012. All of this work was done within the existing WorkSafe and Office of Regulatory Services budget.

- (4) The Construction Industry Advisory Group is an industry advisory body, created to provide WorkSafe with advice on its regulatory approach. The Group focuses more on operational matters, as opposed to the Work Safety Council, which focuses on more strategic and legislative matters. Whether and when the final outcome of the investigation into the Gungahlin Drive Extension Bridge will be discussed by that group will depend on issues such as whether the final report will be referred to the DPP for prosecution of one or more parties. Some issues which arose from that event and which have been the subject of discussion in the public arena have already been discussed by the Group.
 - (5) It will be up to that Group to decide what, if any, recommendations to make to WorkSafe in relation to this matter.
 - (6) Following the amalgamation of the Office of the OHS Commissioner with Workcover to form WorkSafe ACT, it was seen as administratively expeditious to combine the Annual Reports for these two areas. WorkSafe ACT is an administrative unit of the Justice and Community Safety Directorate and it is appropriate that the activities of WorkSafe be included in the directorate's Annual report.
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Long Service Leave Authority—long service leave (Question No 2000)

Mrs Dunne asked the Minister for Industrial Relations, upon notice, on 14 February 2012:

- (1) In relation to the 2010-11 annual report of the Long Service Leave Authority, what was the average length of service of deregistered workers in each industry.
- (2) Of the number of deregistered workers in each industry, how many received long service payments under the respective portable long service leave schemes.
- (3) What was the average amount of long service leave paid to workers in each industry.
- (4) How much notice of the increased levy rate was given to the construction industry.
- (5) What was the response of the industry to the new rate.
- (6) Why was an increase required when at page 6 it was noted that the contributions received in 2010-11 were 28.53% higher than for 2009-10.
- (7) For how long will the Authority blame the global financial crisis (GFC) for the performance of its investment portfolios.
- (8) What has the Authority done to mitigate the impact of the GFC on its investment portfolios.
- (9) What was the aged analysis of other creditors and accruals as to current, that is, within agreed terms of trade, (a) 0 to 30, (b) 30-60, (c) 60-90 and (d) more than 90, days overdue, as at 30 June 2011.
- (10) For any amounts that were overdue, was interest paid to the creditors; if so, how much; if not, why not.

- (11) How much was spent on staff training and development during 2010-11.
- (12) What was this as a percentage of total employee costs.
- (13) What is the Authority's longer-term goal in terms of this percentage.
- (14) What strategies does the Authority have in place to meet that goal.

Dr Bourke: The answer to the member's question is as follows:

- 1) Deregistration is a legislative requirement for all workers who have not accrued at least 1 day's service for 4 consecutive years. Workers who have accrued sufficient service to achieve an entitlement prior to being deregistered maintain that entitlement (even though they are deregistered) and are eligible for an entitlement benefit payment once a claim is made.

Workers are also deregistered if they are duplicated on the returns of different employers, or if, following registration via employers' returns, they are found to be undertaking ineligible work in accordance with the legislation. The length of service for workers falling into the last two categories is obviously negligible and all deregistered workers in the Community Sector Scheme are in these categories as the scheme is only 1 year old. In relation to the construction and cleaning schemes, the Authority's IT system (Leave Track) cannot currently produce the data to answer this question. However, we are negotiating with the system developer to create a program to provide this type of information but the relevant data will not be available within the timeframe required for these answers.

- 2) The Authority's IT system (Leave Track) cannot produce the data to answer this question. Claim data retrieved from Leave Track and provided in the Annual Report does not distinguish between those workers who were registered or deregistered at the time of making their claim. However, as identified above, workers who have accrued sufficient service to achieve an entitlement prior to being deregistered maintain that entitlement (even though they are deregistered) and are eligible for an entitlement benefit payment once a claim is made.
- 3) The average paid to all categories of workers (deregistered or registered with an entitlement) in the construction industry in 2010-11 was \$8,752.
- 4) Employers in the construction industry were advised of the proposed levy increase in August 2010 in writing and verbally through meetings.
- 5) The levy was increased on recommendation by the Long Service Leave Authority Board to the Minister. The Board membership includes representatives from both employer and employee organisations, as such, industry generally accepted the need for an increase in the levy.
- 6) The reasons for the increase are explained at page 12 of the Annual Report. The increase in contributions reflects the increased number of employers and workers in the scheme and higher wages in the industry. The increasing numbers of workers in the scheme adds to the liability of the scheme. The ability of a 1% levy to meet future liabilities has diminished.

- 7) As identified at pages 19 and 20 of the Annual Report, the investment return on the Authority's funds under management with Vanguard was 7.4% for the financial year. Overall return however was negatively affected by devaluation in the Authority's investment property, the Manning Clark building. This reduced valuation reflected the short time remaining on the existing lease and the Territory-wide reduction in the value of older, lower grade, less energy-efficient commercial buildings. It is considered that the global financial crisis was primarily responsible for the Construction Scheme/Authority's negative returns on investments in 2008 and 2009 as identified in the first graph on page 20 of the Annual Report. Accordingly, these negative returns have also reduced the equity of the Construction Scheme on an on-going basis.
- 8) The Authority's investment strategy/plan, which was approved by the then Treasurer in September 2008, moved the Authority's portfolio of funds under management to a low management fee, lower risk, conservative index fund approach with the objective of achieving a real return of 3.5% (CPI+3.5%) averaged over 5 years. This investment strategy is being reviewed in 2011-12. The action being taken by the Authority in relation to its investment property is outlined on page 12 of the Annual Report.
- 9) The Authority had no creditors as at 30 June 2011. The figures on page 55 of the Annual Report relate to accruals only.
- 10) See response to question 9
- 11) \$12, 629. Internal Training relating to the new Community Sector Scheme and the new IT System, Leave Track, was the training/staff development focus for the Authority in 2010-11
- 12) 1.26%
- 13) The authority does not have a long term goal of spending a fixed percentage of employee costs on training. Training activity and spending is based on the assessed needs of the overall organisation and staff members.
- 14) Training needs of staff members are identified in relation to the priorities of the organisation and in regular communication between management and staff.

Hospitals—nurse-led walk-in centres (Question No 2001)

Mr Hanson asked the Minister for Health, upon notice, on 14 February 2012:

- (1) In relation to the Nurse Walk In Clinic located at Canberra Hospital, for the period 1 July-30 November 2011, what was the total number of presentations to the clinic.
- (2) What was the total number of presentations for (a) July, (b) August, (c) September, (d) October and (e) November.
- (3) What was the total number assessed by a nurse at the clinic.
- (4) What was the total number treated at the clinic.

- (5) What was the total number of presentations to the clinic who were not assessed by a nurse.
- (6) What was the number of presentations, following assessment by a nurse but not treated by a nurse, redirected to the services of (a) Canberra Afterhours Locum Medical Service, (b) Medical Imaging, (c) the Emergency Department and (d) a general practitioner.
- (7) Of the total number of presentations to the clinic, referred to in part (1), what was the number of presentations for the reasons of (a) wounds and lacerations, (b) ear conditions – otitis media, (c) ear conditions – ear wax, (d) URTI – tonsillitis, (e) URTI – sinusitis, (f) gastroenteritis – diarrhoea, (g) URTI – sore throat and (h) ankle sprain.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) The total number of presentations for the period 1 July – 30 November 2011 was 7081.
 - (2) The total number of presentations for the month of:
 - a) July 2011 – 1361 presentations;
 - b) August 2011 – 1564 presentations;
 - c) September 2011-1434 presentations;
 - d) October 2011 – 1329 presentations; and
 - e) November 2011 – 1393 presentations.
 - (3) The total number of patients assessed by a nurse at the clinic for the period July to November 2011 was 6991.
 - (4) The total number of patients treated at the clinic for the period July to November 2011 was 4896.
 - (5) The total number of patients, who were not assessed (did not wait) by a nurse at the clinic for period July to November 2011 was 90.
 - (6) (a) Canberra Afterhours Locum Medical Service – 99 patients;
(b) Medical Imaging – 269 patients;
(c) The Emergency Department (TCH, Queanbeyan and Calvary) – 301 patients; and
(d) General practitioner – 596 patients.
 - (7) Between 1 July and 30 November 2011 there were:
 - (a) Wounds and lacerations: 358 presentations;
 - (b) Ear conditions – otitis media: 234 presentations;
 - (c) Ear conditions – ear wax: 186 presentations;
 - (d) Upper respiratory tract infection – tonsillitis: 186 presentations;
 - (e) Upper respiratory tract infection – sinusitis: 180 presentations;
 - (f) Gastroenteritis- diarrhoea: 188 presentations;
 - (g) Upper respiratory tract infection – sore throat: 234 presentations; and
 - (h) Ankle sprain: 155 presentations.
-

**ACTION bus service—Nightrider service
(Question No 2003)**

Ms Bresnan asked the Minister for Territory and Municipal Services, upon notice, on 14 February 2012:

- (1) What was the total cost of providing the Nightrider service each year from 2007-2008 to 2011-12.
- (2) What is the breakdown of costs for providing the Nightrider service each night in the years 2007-08 to 2011-12.
- (3) What is the number of patrons who used the service each night for the years 2007-08 to 2011-12.
- (4) What was the amount of money spent on advertising the Nightrider service each year from 2007-08 to 2011-12.

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

- (1) The total cost of providing the Nightrider service for each year from 2007-2008 to 2011-2012 is as follows:

Year	Total Operating Cost
2007	\$54,173
2008	\$40,202
2009	\$41,169
2010-2011*	\$248,704
2011	\$75,423

*The 2010/2011 Nightrider ran for three months on an extended trial.

- (2) The breakdown of costs for providing the Nightrider service each night for each year from 2007-2008 to 2011-2012 is as follows:

Year	Days of Operations	Operational Cost Per Night
2007	7	\$7,739
2008	5	\$8,040
2009	5	\$8,433
2010-2011	23	\$10,813
2011	7	\$10,774

- (3) The patronage figures for the Nightrider service for the years 2007-2008 to 2011-2012 are as follows:

Year	Total Patronage	Average Passengers Per Night
2007	2,058	294
2008	1,879	376
2009	1,425	285
2010-2011	1,716	75
2011	2,745	249

- (4) The amount of money spent on advertising the Nightrider service for the years 2007-2008 to 2011-2012 is as follows:

Year	Advertising Costs
2007	\$4,500
2008	\$18,000
2009	\$20,000
2010-2011	\$20,000
2011	\$60,000

Transport—accessibility (Question No 2004)

Ms Bresnan asked the Minister for Territory and Municipal Services, upon notice, on 14 February 2012:

Can the Minister provide the most recent data on the ACT's level of compliance with the *Disability Standards for Accessible Public Transport* relating to vehicles and infrastructure.

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

There are approximately 3000 bus stops in the ACT and 886 (i.e. 30%) of these bus stops were found to meet compliance standards in 2011. TAMS is committed, through its capital works program, to be 55% compliant by December 2012; 90% by 2017 and 100% by 2022.

As at 31 January 2012, ACTION has 210 buses or 49.07% of its in-service fleet that are compliant, with the Disability Discrimination Act (DDA).

ACTION is on target to meet the December 2012 target of 55% of the in-service fleet being DDA compliant.

ACTION bus service—scheduling (Question No 2005)

Ms Bresnan asked the Minister for Territory and Municipal Services, upon notice, on 14 February 2012:

- (1) What policies and procedures does ACTION use to prevent ACTION buses leaving from bus stops earlier than the scheduled time.
- (2) Do buses wait at stops if they arrive early and is the Government aware of instances when ACTION buses leave stops earlier than the scheduled time.
- (3) Is the Government aware of any practices or instances where ACTION buses begin routes late in order to avoid arriving early at stops along the route; if so, on which routes does this occur.
- (4) Are there particular policies regarding early arrivals for suburban routes, given that some routes are hourly or half hourly.

- (5) When two or more different routes pass through the same stop, how does ACTION ensure that routes are spaced evenly, effectively increasing frequency, for example, routes 27 and 28.
- (6) How does ACTION estimate travel times of buses when preparing scheduling for timetables.
- (7) How often are the estimates and schedules updated.
- (8) How does ACTION identify routes that need their schedules updated.
- (9) How many people does ACTION employ specifically to work on scheduling.
- (10) Has ACTION engaged any external expertise to audit and/or revise scheduling; if so, what were the results.

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

- (1) The requirement for a bus driver to adhere to their timetable is specified in the ACTION Employees Handbook, which outlines the core operational obligations and responsibilities of a bus driver. This requirement is also an element of the national competencies that new bus drivers are assessed on during their nineteen day training course and their subsequent six month probation period. Qualified drivers are also subject to periodic on-road assessments by ACTION's trainer assessor staff.

On a daily basis, ACTION's four teams of field Transport Officers conduct random service compliance and adherence checks at a wide range of locations across Canberra. One element of these checks is designed to ensure that drivers are operating the service in accordance with the schedule. Drivers who are detected as operating a service where there is a risk of running early are held at a timing point.

- (2) In accordance with their training, the Employee Handbook and ACTION's operational principles, bus drivers are not permitted to commence a service early or pass a timing point before the schedule time.

It is a standard operating practice for a driver to reduce speed, or, stop at locations to ensure that they do not leave bus stops earlier than the scheduled time.

ACTION periodically receives complaints or feedback from the public that a bus may have run early. These matters are referred for investigation and where the driver is found to have breached their operational obligations, they are counselled or disciplined.

- (3) No.
- (4) No. The obligation of drivers to operate to schedule applies to all services.
- (5) If two services pass through a particular timing point, where possible, the scheduling of the services will be spaced to provide additional frequency. However, as routes 27 and 28 service different parts of Weston Creek and only overlap at Cooleman Court, improving frequencies between these two routes would not be considered. Network 12 proposes to move each of these routes by 30 minutes to improve frequencies with other routes (the 25 and the 26) which service the same suburbs.

- (6) ACTION's scheduling system, Hastus, provides route travel times for peak and off peak services based on the distance of the route, road speed limits and the number of bus stops. The times are then verified by using on bus travel with Transport Officers monitoring road and traffic conditions.

MyWay information will assist with scheduled timings by providing actual run time information.

- (7) At the commencement of a new network and as required within the current network.

- (8) ACTION's Transport Officers conduct timing checks on a regular basis to ensure services are operating as scheduled. Driver and customer feedback is also taken into consideration when determining service changes.

MyWay information will assist with scheduled timings by providing actual run time information.

- (9) 4 staff (3.22 FTE).

- (10) No.

Housing—complaints (Question No 2008)

Mr Coe asked the Minister for Community Services, upon notice, on 14 February 2012:

- (1) How many complaints have been received by the Minister's directorate from social housing tenants that relate to (a) maintenance issues, (b) noise issues, (c) pest issues and (d) the quality of public housing since 31 March 2011.
- (2) How long, on average, did each complainant wait for a response from the directorate and how many complaints took longer than 30 days to resolve.
- (3) How many complaints remain outstanding to date.
- (4) What was the cost of action taken to resolve these complaints.
- (5) How many complaints have been made against social housing tenants and received by the Minister's directorate that relate to (a) anti social behaviour, (b) criminal behaviour and (c) maintenance and cleanliness of Housing ACT properties since 31 March 2011.
- (6) How long, on average, did each complainant referred to in part (5) wait for a response from the directorate and how many complaints took longer than 30 days to resolve.
- (7) How many complaints referred to in part (5) remain outstanding to date.
- (8) What was the cost of action taken to resolve the complaints referred to in part (5).

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

- (1) (a) 726
(b) 194
(c) Pest issues are included in maintenance statistics and are not recorded separately
(d) N/A (Not currently recorded)
- (2) All complaints receive a letter of acknowledgement on receipt. Complaints took an average of 29.80 days to be investigated and resolved. 287 took longer than 30 days to resolve.
- (3) As at 16 March 2012, 60 remain outstanding. However, fifty of these are within the service standard target.
- (4) No data is collected on the costs associated with complaint investigation and resolution.
- (5) (a) 589;
(b) N/A (Alleged criminal behaviour is referred to the Australian Federal Police for investigation however some would be included in anti-social behaviour statistics);
and
(c) 262.
- (6) Average 29.50 days. 376 complaints took longer than 30 days to resolve.
- (7) As at 16 March 2012, 90 remain outstanding. However, seventy four are within the service standard target.
- (8) See answer to (4).

Taxation—property (Question No 2010)

Mr Smyth asked the Treasurer, upon notice, on 15 February 2012:

- (1) How many properties were eligible to pay residential, commercial or rural rates as at (a) 30 June 2007, (b) 30 June 2008, (c) 30 June 2009, (d) 30 June 2010 and (e) 30 June 2011.
- (2) What was the average unimproved value of residential, commercial and rural properties in each of the five financial years referred to in part (1).

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

- (1) (a) residential 127,895; commercial 5,144; rural 170.
(b) residential 129,653; commercial 5,291; rural 176.
(c) residential 131,566; commercial 5,517; rural 180.
(d) residential 134,302; commercial 5,657; rural 180.
(e) residential 139,363; commercial 5,800; rural 177.
- (2) (a) residential \$26,242,753,942; commercial \$2,665,041,725; rural \$36,894,458.
(b) residential \$28,646,975,790; commercial \$3,113,678,694; rural \$39,971,792.
(c) residential \$31,439,704,959; commercial \$3,502,496,799; rural \$46,585,792.

- (d) residential \$35,113,726,637; commercial \$3,714,844,773; rural \$51,930,625.
 (e) residential \$38,840,364,092; commercial \$3,735,737,774; rural \$54,398,292.

Live in Canberra program (Question No 2011)

Mr Smyth asked the Minister for Economic Development, upon notice, on 15 February 2012:

- (1) How many people have come to live in the ACT as a result of the ACT Government's Live in Canberra program in each of the past five calendar years.
- (2) If people have come to the ACT from outside Australia as a result of the *Live in Canberra* program, what countries have they come from.
- (3) What skills have people, who have come to live in the ACT as a result of the *Live in Canberra* program, brought to the ACT.
- (4) How many people have been sponsored by the ACT Government to come to the ACT from another country but have been unable to obtain a visa to work in Australia.
- (5) If people have been unable to obtain a visa, what have been the reasons for visas being refused.

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

- (1) The *Live In Canberra Program* works at two levels. First, it provides marketing and settlement support alongside the *ACT Skilled and Business Migration Program* (SBMP). Second, it promotes Canberra to domestic audiences through various established skills attraction events.

It is not possible to say definitely how many people have moved to Canberra as a result of the Program's activities. However, since the SBMP and *Live In Canberra* programs have been in operation, 1941 skilled migrants (and their 3244 dependents) have migrated to Canberra from overseas. Year by year data is shown in **Figure A**.

Further, since 2007 net interstate migration to the ACT has resulted in a positive increase of 1,800 people.

Figure A

	Actual ACT arrivals from ACTG sponsored visa grants	ACT Employer sponsored skilled workers (ACTG vetting)	TOTAL Skilled Migrants working in ACT	TOTAL Dependents arrived in the ACT
2007	30	111	141	355
2008	125	196	321	432
2009	306	155	461	729
2010	195	200	395	678
2011	330	293	623	1050

- (2) ACT Government sponsored migrants have come from 104 countries over the five year period. The top 10 source countries are shown in **Figure B**:

Figure B

Country Of Origin	%
India	17.81%
United Kingdom	17.29%
South Africa	15.52%
Sri Lanka	6.55%
Iran	5.24%
Philippines	4.06%
China	3.93%
Malaysia	3.08%
Pakistan	2.36%
Ireland	2.29%

- (3) The top 10 occupations are shown in Figure D:

Figure D

Occupation	%
Cook	8.53%
Accountant	3.37%
Hairdresser	3.26%
Registered Nurse	2.63%
Software Programmer	2.42%
Marketing Specialist	2.42%
Chef	2.11%
Systems Administrator	2.00%
Program Administrator	1.89%
University Lecturer	1.79%

- (4) Due to the Privacy Act, this information is not released by the Department of Immigration and Citizenship.
- (5) Due to the Privacy Act, this information is not released by the Department of Immigration and Citizenship.

ACT Policing—specialist response group (Question No 2014)

Mr Smyth asked the Minister for Police and Emergency Services, upon notice, on 15 February 2012:

- (1) What are the contractual arrangements for the delivery of specialist response expertise in the ACT, following the merger of the ACT Policing's Specialist Response and Security unit and the Federal Government's Operational Response Group to form the Specialist Response Group.
- (2) What are the financial arrangements, which have been agreed between the ACT Government and the Commonwealth Government, for the provision of specialist response expertise in the ACT by the Specialist Response Group.

- (3) What additional expenditure will be incurred by the ACT Government, as a consequence of the establishment of the Specialist Response Group.

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

- (1) All policing services (including specialist response services) are provided in accordance with the Purchase Agreement for the Provision of Policing Services to the ACT 2011-12, and this will remain the case following the formation of the Specialist Response Group. There is no specific contractual arrangement for the provision of specialist response services in the ACT.
- (2) There is no specific financial arrangement for the provision of specialist response services. All services, including specialist response services, are provided under the Purchase Agreement.
- (3) There will be no additional cost to the ACT Government on the establishment of the Specialist Response Group following the merger. ACT Policing will have an increased capability to deliver specialist response services to the ACT. Capability will be enhanced through greater access to a broader range of specialist services.

**Macarthur House—tenants
(Question No 2015)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 15 February 2012:

- (1) How many government agencies are tenants of Macarthur House.
- (2) How many private organisations are tenants of Macarthur House.
- (3) How many individuals in total are located in Macarthur House and how many identified in part (1) are ACT Government employees.
- (4) Have any renovations occurred at Macarthur House since January 2011; if so, can the Minister provide details of the renovations.
- (5) What is the total cost to the ACT Government of the renovations referred to in part (4).
- (6) How many new tenancy agreements have been negotiated at Macarthur House by month since January 2011.
- (7) How much in total has been spent on (a) feasibility studies and (b) staff surveys on the accommodation and services offered at Macarthur House since January 2011.

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

- (1) Three directorates: Territory and Municipal Services; Justice and Community Safety; and Environment and Sustainable Development.
- (2) One, the cafe on the ground floor.

- (3) As at December 2011, there were approximately 454 staff employed by the ACT Government at Macarthur House, excluding the cafe staff.
 - (4) Since January 2011 there has been an upgrade of the drainage system in the building and renovations to accommodate additional workstations.
 - (5) The total cost is \$92,690.35.
 - (6) Nil.
 - (7) (a) Nil
(b) An in-house survey using the online 'survey monkey' was conducted during 2011.
-

Waste—collection (Question No 2016)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 15 February 2012:

- (1) How many free bulky waste collections have been undertaken since the commencement of the trial service in April 2011.
- (2) How many bulky waste collections have been undertaken in total since April 2011, and what revenue has been received by the ACT Government for these.
- (3) What is the total expenditure of ACT Government funds on the service so far.
- (4) What is the average length of time between booking the service and actual pick up.

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

- (1) As at 2 February 2012 there have been 1512 free bulky waste collections.
 - (2) As at 2 February 2012, a total of 1535 bulky waste collections have been undertaken.

\$38.73 has been received as revenue by the ACT Government for the fee-for-service collections because Tiny's Green Shed recycles or reuses the majority of the material received.
 - (3) The expenditure on the service as at 2 February 2012 is \$155,200 (payments to the contractor).
 - (4) The average length of time between booking the service and actual pick up is seven days.
-

ACTION bus service—review (Question No 2018)

Ms Bresnan asked the Minister for Territory and Municipal Services, upon notice, on 15 February 2012:

- (1) What is the scope of the current review and redesign of ACTION's network and timetables.
- (2) How will the review be undertaken and does it involve any external expertise.
- (3) What is the timing of the review and when are its results expected to be implemented.
- (4) Is the redesign and its implementation occurring within the existing ACTION budget or will it require additional funding.

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

1. The review of ACTION's network and timetables focuses on 'Network 12' changes which are scheduled for introduction by the end of May 2012.

The Network 12 planning involves a relatively limited review of ACTION services, with the focus on the extension of services to newly developed parts of Gungahlin and Blue Rapid services from Belconnen Town Centre to Kippax.

The review also includes the improvement of other services, including those to Fyshwick, the ANU and the Canberra Hospital.

2. The review is being undertaken by the Territory and Municipal Services Directorate in consultation with the Environment and Sustainable Development Directorate, in the context of the Transport for Canberra strategy. Advice received from external consultants on improving ACTION services formed the starting point of the review.

In addition, feedback from the community was sought throughout October and November 2011 and 146 items of correspondence were received. The feedback has been used to refine and improve the review recommendations.

3. The final review recommendations will be published shortly and it is expected that changes will be implemented by the end of May 2012.
4. Funding for Network 12 was provided in the 2011-12 Territory and Municipal Services Budget.

ACTION bus service—Crace (Question No 2020)

Ms Hunter asked the Minister for Territory and Municipal Services, upon notice, on 15 February 2012:

- (1) What is the current population of Crace.
- (2) How many ACTION bus services currently service Crace.
- (3) Are there any school dedicated bus services for Crace.

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

- (1) There were 600 people in Crace as at June 2011 and it is predicted that there will be 5000 people in Crace when the suburb is completed.
- (2) There are no bus services in Crace at this time. Services to Crace will commence with the implementation of Network 12 in May 2012 when the route 58 is diverted into the suburb.
- (3) No.

Youth—services (Question No 2021)

Ms Hunter asked the Minister for Community Services, upon notice, on 15 February 2012:

- (1) Can the Minister advise how many youth centres will be open for drop in sessions in the ACT for young people to use during 2012.
- (2) Can the Minister provide statistics on the numbers of young people accessing the drop in and informal activities during the 2011 calendar year at (a) Communities@Work Tuggeranong Youth Centre, (b) Communities@work Weston Creek Youth Centre, (c) Gungan Gulwan Aboriginal Centre, (d) Gungahlin Youth Services, (e) U-Turn Youth Services Belconnen, (f) Youth in the City – Club 12/25 and (g) YWCA – Mura Lanyon Youth Centre.
- (3) Can the Minister provide statistics on what types of services young people accessed while using the youth centres, for example (a) advocacy, (b) case management, (c) emergency relief, (d) food, free meals, (e) individual support, (f) information, (g) outreach support, (h) peer education, (i) recreational activities, (j) referrals, (k) structured programs, (l) support to access accommodation, (m) support to access education/ training, (n) Road Ready courses, (o) transport, (p) school holiday programs and (q) workshops.
- (4) Can the Minister provide, in each of the regions, information on the alternatives available to young people in the ACT that provide a drop in space and support if requested.
- (5) What services will be available to young people seeking informal support, assistance and referral.
- (6) What youth engagement strategies have been put in place to assist young people who are experiencing barriers with accessing mainstream support services in the ACT.
- (7) What free and low-cost recreational services will be offered to young people in the ACT who are experiencing disadvantage and cannot afford to participate in mainstream recreational activities.
- (8) What initiatives have been created to include more disadvantaged young people into mainstream recreational activities.

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

- (1) 'Drop-in' is generally understood as a period of time where clients have access to safe supervised space and opportunities to participate in a range of activities. Clients are able to access information, referral and once-off personal support.

Under the new Child, Youth and Family Services Program, which is being implemented from 1 March 2012, community service providers are funded to provide drop-in services at seven (7) youth centres. These are:

- Gungahlin Youth Centre (to be provided by Anglicare ACT and Northside Community Service);
- The corner @BCS (to be provided by Belconnen Community Service);
- Youth In The City (to be provided by Anglicare ACT and Northside Community Service);
- Woden Youth Centre (to be provided by Woden Community Service, Southside Community Service and Anglicare ACT);
- Gugan Gulwan Youth Centre (to be provided by Gugan Gulwan Youth Aboriginal Corporation);
- Tuggeranong Youth Centre (to be provided by Communities @ Work);
- Mura Lanyon Youth Centre (to be provided by YWCA of Canberra).

- (2) The eight (8) youth centres currently funded under the Youth Support Program had 24,855 contacts with young people in 2011.

Service	Jan-June 2011 (reporting period = 130 days)	July-Dec 2011 (reporting period = 125 days)	Total contacts in 2011	Av no. of contacts per day
Gungahlin Youth Centre	2 526	2 417	4 943	19.4
U-Turn- Belconnen	2 507	2 614	5 121	20.1
Youth In The City	3 650	3 315	6 965	27.3
Woden Youth Centre	1 900	1 148	3 048	12
Gugan Gulwan	915	1 427	2 342	9.2
Tuggeranong and Weston Creek	979	791	1 770	7
Lanyon Youth Centre	366	300	666	2.6
Total	12 843	12 012	24 855	

- (3) Agencies currently funded under the Youth Support Program are only required to collect statistics on the number of young people accessing case management services while at the youth centres. In 2011, service providers collectively reported that 270 young people were assisted to access case management services across the eight youth centres funded under the Youth Support Program.

Information that may be kept by individual agencies about the number of young people accessing other services at the youth centres is not collected on a consistent basis to enable reporting across the services.

- (4) Under the new Child, Youth and Family Services Program young people are able to access drop-in services at seven youth centres. There will, however, be a shift in the role of youth-drop-in services under the new service model with an increased emphasis on outreach support services. This shift reflects changes in models of youth service delivery both nationally and internationally.

Young people will still be able to access information and services provided by regional community services. Community service providers will also assist young people to access information and engage with services through Youth and Family Connect and other services funded under the new Child, Youth and Family Service Program. Additionally, youth workers and related professionals are embedded throughout the community in schools, community hubs and government agencies. Youth workers are also undertaking outreach and assertively engaging hard to reach groups.

- (5) A key feature of the new Child, Youth and Family Services Program is the new information, engagement and coordination services called 'Youth and Family Connect' that is being delivered by Parentline ACT. This service will provide young people and their families with a central point of contact for information, initial support and engagement with services.
- (6) Key features of the youth engagement services funded under the new Child, Youth and Family Services Program are:
 - Street outreach on Friday and Saturday evenings and other times when young people congregate.
 - Open access (or 'drop-in') activities in safe places that are appropriate and accessible to young people. This may include existing youth centre space.
 - Late night programs or recreational activities at locations and times that young people are likely to congregate and that have the capacity to move location based on the needs of young people in the area.
 - Brokerage funding to support engagement and connections with family and/or to other services (eg. phone cards, bus tickets, meals, family outings).
 - Assessment to identify additional support needs and facilitate the engagement of family or other services with young people.
 - Strong relationships with other services including those that provide case management and group activities and the capacity to support the young people to engage and remain engaged.
- (7) A range of free or low cost sporting or recreational activities are available to young people. These are supported from a range of government and community sources. Some examples include:
 - PCYC RecLink - supports access to gym membership and a variety of other recreational and sporting groups.
 - The Aboriginal Corporation for Sport and Recreational Activities at Boominalla Oval provides grants for individuals and teams to meet the costs associated with participating in sport and recreation.
 - The YMCA Chifley Health & Fitness Centre offers reduced rates for young people. The YMCA also offers sponsorships.
 - A variety of community services providers offer program activities during school holidays at free or low cost, for example Woden Community Service, Communities @ Work, Gungan Gulwan Aboriginal Corporation, Belconnen

Community Service, YWCA of Canberra, Anglicare ACT, Northside Community Services, Canberra PCYC and Society of St Vincent de Paul.

- Girl Guides ACT, Scouts ACT, Duke of Edinburgh offer subsidised membership and participation costs.
- The Smith Family Learning for Life program helps children and young people facing financial difficulties to participate in school based recreational sporting and recreation activities by assisting to pay fees and registration costs for activities.

- (8) Under the new Child, Youth and Family Services program vulnerable young people will be supported to participate in mainstream recreational activities through the assertive engagement and brokerage funding offered by case managers in delivering case management services and youth workers in delivering outreach and youth engagement services. In addition a number of initiatives are available more widely across the service system to support disadvantaged young people. This includes for example, special grants provided through schools, disability quality of life grants and supports provided for young people transitioning from care.

Youth—services (Question No 2022)

Ms Hunter asked the Minister for Community Services, upon notice, on 15 February 2012:

- (1) Can the Minister outline the specific funding that was originally proposed, and the formula used to arrive at this amount, in the 2011 Request for Tender for the Children, Youth and Family Support Program service delivery framework for case management services in each of the four regions of (a) Belconnen, (b) North/Gungahlin, (c) South/Weston and (d) Tuggeranong.
- (2) How will the successful tender contract negotiations reflect the change in case management service delivery for the four regions referred to in part (1), considering that instead of a regional approach with four services, there will now be seven providers, four of which are Territory wide, two are Belconnen network specific, and one which is for the South/Weston network only.
- (3) What is being done to ensure case management services will be provided to the North/Gungahlin network.

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

- (1) A total of \$2,680,701.10 (GST inclusive) was allocated for Case Management Activities in the Child, Youth and Family Services Program Service Delivery Framework 2011-14 and Request for Tender.

Three measures were used to determine the indicative funding allocated to each of the four network regions in the Request for Tender.

1. 50% of funding was allocated to a weighting of the projected population aged 0-24 years to 2014 in each region;

2. 25% of funding was allocated to a weighting of the number of substantiated child protection reports in the period 2008-09 in each region; and
3. 25% of funding was allocated to a weighting of the number of youth justice community based orders in the period 2008-09 in each region.

These measures reflect the primary aim of the Child, Youth and Family Service Program to provide support to the most vulnerable and in need children, young people and families. The number of substantiated child protection reports and youth justice community based orders within a region's population are significant indicators of vulnerability and risk.

- (2) Community service providers responded to the Request for Tender by offering to provide services in regional networks and on an ACT-wide basis. All conforming proposals were evaluated to determine that the service provider could provide the services identified in the geographical areas specified by the service provider in the tender response.

Those service providers that tendered to provide case management services on an ACT-wide basis put forward models to demonstrate how they would provide services across the four networks, including where services would be located, how children, young people and families would access services and how they would be prioritised according to need.

Contracts with the successful providers of ACT-wide case management services reflect the models put forward in the tender response. In discussions with the preferred tenderers, the Directorate has reinforced the need for every network to have adequate service provision, with the Tuggeranong and North/Gungahlin networks being identified as presenting the highest need for case management services.

- (3) See answer to Question 2 above. The providers of ACT-wide case management services will be required to report on the number of children, young people and families accessing their services in each region. This will enable the service providers and the Directorate to assess the level of need for services in each region and to ensure that the needs of children, young people and families in each of the regions are being addressed.

Under the Child, Youth and Family Services Program the providers of case management services will work with the Network Coordinators in each region and the Information, Engagement and Coordination Service Youth and family Connect to monitor demand for services and assess the response being provided to children, young people and families across the ACT.

ACTION bus service—school safety program (Question No 2023)

Ms Hunter asked the Minister for Education and Training, upon notice, on 15 February 2012 (*redirected to the Minister for Territory and Municipal Services*):

- (1) What resources are currently provided to the ACTION/Constable Kenny Koala bus safety education program for Year 4 classes in ACT public schools.
- (2) How many schools have requested this service in the previous 12 months.

- (3) Are there any plans to increase the promotion and uptake of this program.

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

- (1) ACTION's Regional Customer Service Managers and one assistant, present the bus safety education program to schools. Preparation and course presentation resources include:

Two staff – Customer Service Manager (4.5 hours) and one driver (1.0 hour), and one ACTION bus (practical course component).
 - (2) ACTION contacted approximately 50 schools during 2011 promoting the program and inviting schools to participate. Four schools had requested this service in the previous 12 months.
 - (3) ACTION will continue to promote the bus safety education program to schools throughout the ACT and is considering a review and update of program materials.
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Schools—Pathways Planning document (Question No 2024)

Ms Hunter asked the Minister for Education and Training, upon notice, on 15 February 2012:

- (1) How many schools are currently using the Pathways Planning document produced by the Education and Training Directorate.
- (2) What has been done to support broad use of the Pathways Planning document in ACT schools.
- (3) What is the timeline for the roll out of Education and Training Directorate's Pathways Planning to be used in all ACT public schools from Years 6 to 12.

Dr Bourke: The answer to the member's question is as follows:

- 1) All secondary schools in the ACT, public and non government, have commenced using the Pathways Planning document as a guide, teacher resource and/or as a set of learning activities. In 2011 all ACT students in years 10 and 11 commenced the Pathways Planning process.
- 2) The Pathways Planning document has been made available online as an interactive pdf document. Professional learning sessions have been provided for school based Pathways Planning Coordinators and Moving Forward Officers. The Pathways Planning project manager and Moving Forward project manager have facilitated information sessions at schools and conducted system wide workshops about how to use the Pathways Planning document.
- 3) In 2011 all ACT students in year 10 and 11 commenced the Pathways Planning process.

In 2012 all ACT students in year 11 and 12 will continue the Pathways Planning process and all ACT students in years 6, 9 and 10 will commence the Pathways Planning process.

In 2013 all ACT students in years 7, 10, 11 and 12 will continue the Pathways Planning process and all ACT students in years 6, 8, and 9 will commence the Pathways Planning process.

In 2014 all ACT students in year 6 to 12 will continue with the Pathways Planning process.

ACTION bus service—school routes (Question No 2025)

Ms Hunter asked the Minister for Education and Training, upon notice, on 15 February 2012:

- (1) What is being done to support parents and caregivers to access ACTION services for their children and young people.
- (2) Can the Minister provide data on the number of school children using ACTION buses to travel to and from school for the last two years, with a breakdown of how many were (a) dedicated school routes and (b) regular services.
- (3) How does the Government assess which schools/routes will be serviced by dedicated ACTION school buses.
- (4) What is the process of requesting a new school bus service and how is this communicated to parents and school principals.

Dr Bourke: The answer to the member's question is as follows:

1. Children and young people are able to travel on discounted student fares, subsidised by the ACT Government. Free travel is available for children/students who meet the requirements of the Student Transport Program, for students with financial disadvantage.
2. As the previous ticketing system was incapable of producing accurate school travel data for the requested period, ACTION has provided information from the new MyWay system for the period July to December 2011.

There were a total of 2,043,114 student boardings recorded during this period. This excludes students paying cash fares.

- (a) There were 1,123,713 (55%) student boardings on route services.
- (b) There were 919,401 (45%) student boardings on dedicated school services.

This data includes all bus travel by students using the MyWay system, regardless of whether the travel was for school or non-school purposes.

3. A number of factors are taken into account in determining which routes will be serviced by dedicated ACTION school buses. These factors include the age and location of residence of the students attending the school. Additional data may also be used, such as an assessment of likely demand.
4. The need for a dedicated bus service is determined by ACTION based on information provided by the Directorate such as the age and location of students as well as the availability of route services within the area. Information regarding demand may be generated by school communities following consultation with students and parents. Applications are considered by the Schools Transport Liaison Committee, made up of representatives of:
 - ACTION
 - Education and Training Directorate
 - Catholic Education Office
 - Association of Parents and Friends of ACT Schools
 - Association of Independent School, and
 - ACT Council of Parents and Friends.

Information regarding this process is available on the ACTION website and is communicated to school principals by the Directorate and to parents by the school principal.

Roads—Gungahlin Drive extension (Question No 2027)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2012:

Has Roads ACT concluded the monitoring of noise from the Gungahlin Drive Extension; if so, can the Government provide a copy of the report produced from the study.

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

Yes, a copy of the report is available on the Territory and Municipal Services Directorate webpage at www.tams.act.gov.au under "what's new".

Waste—landfill sites (Question No 2028)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2012:

- (1) How many domestic users take waste to the landfill sites in the ACT each year and what are the breakdowns between the (a) Mugga Lane and (b) Mitchell sites.
- (2) Given that the Territory and Municipal Services website states that there are a range of charges for domestic users, as per the brochure located at http://www.tams.act.gov.au/__data/assets/pdf_file/0003/228081/Guide_to_Wastes_Disposal_Charges_Brochure_2011.pdf, can the Minister give a breakdown of (a) how

many users pay each type of charge, for example, by trailer and car and (b) what are the volumes of the various waste types collected.

- (3) How much does the Territory and Municipal Services Directorate spend each year removing waste that has been dumped in inappropriate areas.
- (4) Can the Minister list the main areas where rubbish is dumped.
- (5) How many collections have been made under the trial bulky goods collection service and how many (a) of these are through the free service to pensioners and other concession card holders and (b) are fully paid collections.

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

- (1) 181,614 transactions from domestic users were recorded at ACT Government Resource Management Centres in 2011.

81,128 transactions were recorded at Mitchell and 100,486 were recorded at Mugga Lane. Both recyclable and non-recyclable material is dropped off at the Resource Management Centres.

- (2) The number of domestic users that paid each type of charge during 2011 is detailed below. Volumes and type of vehicle used for delivery are unfortunately not recorded at the weighbridges.

Product	Number of transactions
Small load	56,527
Medium load	66,953
Large load	14,000
Extra large load	3,138*
Computer terminals	1,547
Computer monitors/laptops	2,753
Clean tyres without rims	888
Dirty tyres or tyres with rims	667
Mattresses	6,820
Flat panel/small TV	7,411
Medium TV	3,296
Large TV	991
Extra large TV	55

*3,088 tonnes

- (3) The cost of labour for the removal of illegally dumped goods was approximately \$75,259 in the 2010-11 financial year.

In the 2010/2011 financial year the cost of towing abandoned vehicles for city rangers amounted to \$27,331. These costs were fully recouped at \$188 per tonne of metal when each car was crushed and recycled.

In relation to the cost disposal of the waste, the tip fees associated with disposal of illegal dumping is not separately apportioned from the total cost of waste disposal which also includes litter removal and general waste collected from litter bins (such as at shopping centres). The total cost of waste disposal by City Services was \$352,000 in the 2010-11 financial year.

- (4) Some areas where illegal dumping is commonly occurring at the present time are:
- Civic – Rabaul Lane;
 - Gungahlin – Anthony Rolf Ave (behind the library);
 - Narrabundah Lane (behind dog racing club);
 - Tuggeranong - Kambah Pool Road (past the golf course);
 - Belconnen – Stockdill Drive (past the golf course);
 - Corner Hindmarsh Drive and Eucumbene Drive, Chapman;
 - Oakes Estate Road and
 - Dickson Shopping Centre (Dickson Place);
- (5) 1,535 collections have been made under the trial bulky goods collection service as at 2 February 2012.
- 1,512 of these were collected under the free service and 23 were collected under the charged service.

**Waste—statistics
(Question No 2029)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2012:

- (1) What volume of waste do ACT Rangers take to the landfills in the ACT each year and what are the breakdowns of types of waste.
- (2) How much do ACT Rangers spend each year removing waste that has been dumped in inappropriate areas and who is this paid to.
- (3) Do ACT Rangers separate rubbish into recyclable and non-recyclable waste streams; if not, why not.
- (4) How much money is recouped from the enforcement of dumping fines.

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

- (1) During the 2010-11 financial year, the city rangers took 3.38 tonnes of commercial and industrial waste, 30.48 tonnes of metal, 3 computers and 15 televisions to ACT Government resource management centres.

The city rangers investigate incidences of illegal dumping and remove items where practical. The vast majority of illegally dumped material (with the exception of abandoned vehicles), following investigation, is removed and disposed of by the place management section of city services within the Territory and Municipal Services (TAMS) Directorate which incurs the cost of removal.

For the place management component, 5,514.98 tonnes of waste was taken to landfill in the 2010 11 financial year. The amount of illegal dumping is not separately apportioned from the total waste collected, which also includes general waste collected from litter bins (such as at shopping centres).

- (2) The labour expenses associated with the removal of illegally dumped goods removed by the place management section of city services was approximately \$75,259 in the 2010-11 financial year.

City rangers also stored 274 cars at Mugga Lane, of which 185 were abandoned vehicles which were subsequently crushed for recycling of metal. The cost of towing these abandoned vehicles in the 2010-11 financial year amounted to \$27,331. The cost of towing each abandoned vehicle is \$99.75, and this money is paid to a contractor. These costs were fully recouped at \$188 per tonne of metal when each car was crushed and recycled. This money is paid into the TAMS Directorate's abandoned vehicle account to offset the cost of the work.

In the 2010-11 financial year, the total cost of waste disposal by city services was \$352,000.

The tip fees associated with disposal of illegal dumping however are not separately apportioned from the total cost of waste disposal which also includes litter removal and general waste collected from litter bins (such as at shopping centres, town and district parks, etc).

- (3) Yes. White goods, metal, tyres, mattresses and televisions are separated from waste collected. These items are disposed of separately through the waste recovery centre or collected by scrap metal recycling firms.
- (4) A total of \$11,040 was received in paid litter infringements in 2010/2011 financial year.

Planning—development application fees (Question No 2030)

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 16 February 2012:

- (1) What is the total annual revenue taken in by the Government through fees associated with development applications (DAs).
- (2) Can the Minister provide a breakdown of the types of development application fees, for example, commercial, industrial and residential.
- (3) What is the total annual cost to the Government through processing and administering these DAs.
- (4) Can the Minister provide a breakdown of the costs to the Directorate of processing the various types of DAs, for example, commercial, industrial and residential.
- (5) Are DAs and associated costs a net annual source of revenue or a loss to the Government.

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

- (1) In 2010-11, the Government collected \$3.13 million in fees associated with the processing of development applications.

- (2) Development applications are differentiated by four categories: merit; impact; code; and estate. However, fees collected can be segregated only by merit, and the combined grouping of impact, code and estate applications. Revenue received in 2010-11 was:
- Merit: \$2.68 million
 - Impact / Code / Estate: \$0.45 million
- (3) & (4) As with fees, the cost of processing development applications cannot be differentiated other than by the costs of staff groups associated with administering and processing the applications. Based on these groups, the costs associated with processing development applications in 2010-11 in was:
- Merit team: \$2.45 million
 - Impact / Code / Estate team: \$0.33 million
 - Customer Service team: \$1.63 million
- (Costs associated with the Customer Service Team are derived from an analysis of the proportion of time spent on administering development applications.)
- The total cost of processing and administering development applications in 2010-11 was therefore \$4.41 million.
- (5) Based on the above information, the annual cost to the Government of processing development applications is \$1.28 million.
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Planning—hot-water heaters (Question No 2031)

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 16 February 2012:

- (1) Where is the ACT up to in its implementation of the COAG agreement to phase out electric hot water systems.
- (2) When does the Minister expect that the Building Code of Australia (BCA) will be altered to require energy efficient hot water systems for replacement hot water systems.
- (3) When will the ACT adopt the 2012 BCA changes.
- (4) How does the ACT's progress in implementation rate relative to other States and Territories.

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

- (1) In 2011, the ACT co-chaired a national sub-group that developed parameters for technical regulations for replacement water heaters in class 1 buildings. As advised previously, these basic technical standards will need to be tailored to ACT policy considerations and supplemented with installation standards and other administrative requirements to maximise the efficiency of hot water systems in the Territory's

climate. Implementation issues such as enforcement, costs to particular households with restricted options, and linkages with rebate and other schemes, including the proposed accelerated phase out in draft Action Plan 2, are being considered.

- (2) While the Building Code of Australia does contain some requirements for fixtures and appliances, it does not regulate plumbing work. There is no proposal at present for that document to be extended to cover plumbing work. Plumbing work, which includes installation and replacement of hot water heaters, is regulated in the ACT through the *Water and Sewerage Act 2000*. The current national agreement is that each state and territory will implement requirements for water heaters in their own legislation, with potential inclusion in the national plumbing code at a later stage.

However, in the ACT, where a hot water heater is installed or replaced in association with new building work in an alteration or addition to a class 1 building the building code is triggered and the hot water heater will need to comply with the standards for water heaters in the code. These requirements do not impose an energy efficiency standard but a greenhouse intensity standard on water heaters.

- (3) As previously advised the *Building Act 2004* automatically adopts the latest version of the Building Code of Australia (now volumes 1 and 2 of the National Construction Code) from its effective date of 1 May each year.
- (4) No jurisdiction has implemented a full phase out of greenhouse intensive water heaters in Class 1 buildings. South Australia has had greenhouse intensity standards for most domestic water heaters since 2009; however, these only apply to people that are customers of SA Water and reduced standards apply for most public, regional and remote properties. Queensland has also introduced standards for replacement water heaters, limited in application to class 1 buildings in gas reticulated areas. Tasmania has not committed to the implementation of the phase-out. No other jurisdictions have implemented specific standards for hot water heaters replaced independently of building work.

ACT public service—mobile phones (Question No 2033)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 16 February 2012 (*redirected to the Treasurer*):

- (1) How many mobile phones are managed by Shared Services, and to what Directorates are these phones assigned.
- (2) How many mobile phones referred to in part (1) are assigned to ACT Government employees and what is the average cost per mobile phone account.
- (3) For each mobile phone account referred to in part (2), how much has the Government received in reimbursement for private calls.
- (4) For those phone accounts referred to in part (2), how many use the “call select” option.
- (5) How many mobile phones, referred to in part (2) are assigned to Minister’s offices, by office.

- (6) For each mobile phone account referred to in part (5), how much has the Government received in reimbursement for private calls.
- (7) For those phone accounts referred to in part (5), how many use the “call select” option.
- (8) What is the average cost per Minister’s office for those mobile phones referred to in part (5).
- (9) For those phones referred to in part (5), how many use the “call select” option.

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

- (1) Mobile phones managed by Shared Services are assigned as follows:

Directorate / Agency	Qty of devices
Auditor Generals	11
Legislative Assembly	10
ACT Executive	28
ACT Health	989
ACT Insurance Authority	4
Cultural Facilities Corporation	11
Canberra Institute of Technology	107
Chief Minister and Cabinet	39
Community Services	578
Environment and Sustainable Development	110
Education and Training	574
Treasury	18
Economic Development	159
Justice and Community Safety	464
Shared Services	317
Territory and Municipal Services	502
Total	3,921

- (2) Phones are provided to users by individual directorates in line with directorate guidelines and operational requirements. Information is not available on the employment status of users.

The average usage cost per mobile per month (based on monthly costs from December 10 – November 11) is \$21.57.

- (3) Individual directorates are responsible for determining and administering guidelines on the private use of phones. This information is not centrally collected.
- (4) Nil. The “call select” service is not offered through any Telecommunications contracts managed by Shared Services.
- (5) See (1) above. Billing is done at the agency level, in this case for the whole of executive.

- (6) As per response in part (3).
 - (7) Nil. The “call select” service is not offered through any Telecommunications contracts managed by Shared Services.
 - (8) For the ACT Executive the average usage cost per mobile per month is \$55.83.
 - (9) Nil. The “call select” service is not offered through any Telecommunications contracts managed by Shared Services.
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Health—lymphoedema (Question No 2034)

Ms Bresnan asked the Minister for Health, upon notice, on 21 February 2012:

- (1) What services are currently provided in the ACT to people suffering from Lymphoedema.
- (2) How many patients does ACT Health, including Calvary Health Care, treat for Lymphoedema.
- (3) What are the costs per annum to the ACT Government for providing Lymphoedema treatment.
- (4) Are Lymphoedema services provided free of charge to the patients; if not, (a) what are the fees that patients must pay when receiving those services and what rebates are available to them and (b) which of those rebates are up front and which are claimed after payments have been made.
- (5) What techniques are used to detect Lymphoedema early and is bioimpedance spectroscopy used.
- (6) In patients susceptible to Lymphoedema are pre-surgery baselines and post surgery monitoring undertaken for patients to enable earliest possible detection and intervention.
- (7) What percentage of women in the ACT that survive breast cancer go on to experience Lymphoedema.

Ms Gallagher: I am advised that the answer to the member’s question is as follows:

- 1) Services for treatment of Lymphoedema are provided at both Calvary Hospital and Canberra Hospital.

Calvary Hospital runs a Lymphoedema clinic which is made up of a multidisciplinary team of experts with the capability to manage complex lymphoedema.

Canberra Hospital provides service and treatment to patients with primary and secondary lymphoedema as well as the treatment of some complex lymphoedemas.

- 2) Currently there are 635 patients receiving active treatment through the Lymphoedema service at Calvary Health Care ACT and 68 patients receiving active treatment through the lymphoedema service at Canberra Hospital (as at March 2012).
- 3) The Government funds Calvary Health Care ACT and Canberra Hospital to fund the delivery of public hospital services, this includes funding for public Lymphoedema services. There is no separate funding identified within the overall funding envelope for Lymphoedema services.
- 4) Patients accessing Lymphoedema services at Calvary Hospital or Canberra Hospital receive this service free of charge. This does not include consumable items, which involve some charges to patients.
- 5) Bioimpedance spectroscopy is considered best practice in the early detection of lymphoedema. Other less advanced methods of assessment are circumferential measures, volume measures, visible swelling and the subjective feelings of the limb.

Bioimpedance spectroscopy is used for detection of Lymphoedema.

- 6) Patients with breast cancer who undergo surgery are at risk of developing lymphoedema. To enable early detection and intervention, pre-surgery baseline measures and post-surgery monitoring is undertaken. Public patients having breast surgery at Calvary Hospital are seen pre-operatively by a Breast Care nurse who has access to a bioimpedance spectroscopy device.
- 7) In developed countries, lymphoedema is most commonly associated with the treatment of cancer. Prevalence of 12- 60% have been reported in breast cancer patients and 28 – 47% in patients treated for gynaecological cancer (*Best Practice for the Management of Lymphoedema: International Consensus, 2006*). There is no ACT data available on this statistic.

Housing—Northbourne flats (Question No 2035)

Ms Bresnan asked the Minister for Community Services, upon notice, on 21 February 2012:

- (1) Does the ACT Government have a consultation plan with regards to the manner in which it is engaging with tenants of Northbourne flats about the potential redevelopment; if so, can the Minister provide a copy; if not, what are they future key dates and processes for the ACT Government's engagement and consultation with tenants of Northbourne flats about the site's redevelopment.
- (2) What communications has the ACT Government had with the tenants of Northbourne flats to date about the potential redevelopment and can the Minister provide copies of notifications and letters to all tenants.
- (3) How does the ACT Government intend to include tenants of Northbourne flats in the decision making process about the site's redevelopment.
- (4) Why weren't tenants included in the decision making process regarding the preferred design for the redeveloped site and who was included in that decision making process.

- (5) How many head leases are there currently at Northbourne flats.
- (6) How many of the dwellings at Northbourne flats are currently (a) occupied and (b) empty.
- (7) How many people are currently living at Northbourne flats.
- (8) Does the ACT Government know what proportion of current tenants wish to stay at the Northbourne flats site after it is redeveloped; if so, what is that percentage.
- (9) How many of the dwellings at Northbourne flats were (a) occupied and (b) empty approximately one year ago.
- (10) How many people were living at Northbourne flats approximately one year ago.
- (11) How many tenants have lived at Northbourne flats for more than (a) 30, (b) 20, (c) 10 and (d) 5 years.
- (12) Does the ACT Government currently provide for a tenant's relocation and reconnection costs if they move from Northbourne flats to another public housing dwelling.
- (13) Does the ACT Government intend to provide for a tenant's relocation and reconnection costs if they move from Northbourne flats to another public housing dwelling when the Northbourne flats are being closed for redevelopment.
- (14) Does the ACT Government have any predictions about the level of capital funds needed through a future budget to ensure that after the Northbourne flats site is redeveloped there is no overall loss of public housing stock numbers; if so, what are those figures.

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

- (1) Housing and Community Services has been engaging with the tenants of Northbourne Flats about the potential redevelopment. The next meeting with the tenants is scheduled for 1 March 2012. Further meetings will be scheduled to ensure the tenants are aware of progress that is being made on the redevelopment.
- (2) Copies of letters and a newsletter which have been sent to tenants of Northbourne Flats by Housing and Community Services are attached. The Community Services Directorate website (www.dhcs.act.gov.au) has information on the redevelopment of Northbourne Flats. This is regularly updated.
- (3) Housing and Community Services will be meeting regularly with tenants from Northbourne Flats to provide them with information about the redevelopment. Issues raised by the tenants will be considered and taken into account in the redevelopment.
- (4) A design competition was undertaken by the Government to determine the preferred design for Northbourne Flats. The judging panel consisted of senior officers from ACT Government as well as people with extensive experience in architecture and the community sector.
- (5) There are currently seven units head leased (both standard head lease and restricted head lease).

- (6) There are currently:
- 243 occupied units; and
 - 12 vacant units.
- (7) There are currently 329 people residing at Northbourne Flats.
- (8) No.
- (9) At 30 June 2011, there were
- 251 occupied units; and
 - 4 vacant units.
- (10) At 30 June 2011, there were 340 people residing at Northbourne Flats.
- (11) There are currently:
- (a) 5 tenancies that are 30 years or longer in duration;
 - (b) 16 tenancies that are between 20 and 30 years in duration;
 - (c) 52 tenancies that are between 10 and 20 years in duration; and
 - (d) 63 tenancies that are between 5 and 10 years in duration.
- (12) Yes.
- (13) Yes.
- (14) No.

(Copies of the attachments are available at the Chamber Support Office).

Housing—Ainslie Village (Question No 2036)

Ms Bresnan asked the Minister for Community Services, upon notice, on 21 February 2012:

- (1) What were the key elements of the recent tender for the contract to manage Ainslie Village and can the Minister provide a copy.
- (2) Who decided on the outcome of the tender.
- (3) Who was awarded the tender and on what basis were they awarded it.
- (4) Did the organisations that submitted a tender provide different costings; if so, did the organisation that was awarded the tender submit the lowest costings.
- (5) What is the amount of funding to be provided per annum from the ACT Government to the winner of the tender to manage Ainslie Village.
- (6) What is being done to ensure there is a smooth transition between site managers.
- (7) Will any of the current staff at Ainslie Village be retained by the new provider.

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

- (1) The key elements of the recent Ainslie Village tender included engaging a suitably qualified and experienced service provider to provide and support secure tenancies for vulnerable people located at Ainslie Village. This provider will assist with and promote social inclusion within a safe and stimulating environment. A copy of the Request for Tender document is attached.
- (2) The tender evaluation panel comprising senior staff from the Community Services Directorate and an external senior member from a community organisation provided a recommendation to the delegate, the Director-General, Community Services Directorate. The delegate approved the recommendation of the tender evaluation panel.
- (3) Argyle Community Housing Ltd was chosen as the preferred tenderer. Argyle Community Housing Ltd consistently demonstrated significantly stronger claims across all assessable criteria in both phases of the tender process to best illustrate their capacity to deliver services in accordance with the Territory's requirements under the Request for Tender.
- (4) No. This was a set price tender. The set price is made available to tenderers at the start of the tender process.
- (5) See Attachment 1 (A1) of Request for Tender document.
- (6) A Transition Working Group has been established which includes staff from the Community Services Directorate, Argyle Community Housing and Havelock Housing Association. The priority of the Working Group is to minimise any disruption to the residents at Ainslie Village.

The residents have been kept informed through a series of information sessions before and immediately following the announcement of the successful tender. Argyle will meet with the residents weekly until it assumes full management of the site in April 2012.

- (7) The new provider has spoken with the current staff at Ainslie Village. Some staff have agreed to work with Argyle, and negotiations are still underway with other staff.

Health—blue-green algae (Question No 2039)

Mr Rattenbury asked the Minister for Health, upon notice, on 23 February 2012:

- (1) What scientific evidence is the Government aware of about the potential adverse human health impacts of blue-green algae where contact is due to (a) swallowing contaminated water, (b) submersion in contaminated water through "primary contact" activities such as swimming, (c) skin contact with contaminated water through "secondary contact" such as boating and (d) inhalation of contaminated aerosol-borne water droplets.

- (2) Is the Government aware of any reported human deaths or life threatening illness caused by primary or secondary contact with water that is contaminated by blue-green-algae.
- (3) What risk assessment has the Government undertaken of the potential and likely health affects at the concentrations which correspond to the medium, high and extreme alert levels outlined in the action plan in the ACT Health Guidelines for Recreational Water Quality.
- (4) Is blue-green algae the most significant health risk to lake users that the Government has identified, or are there other risks; if so, what are those other risks.
- (5) When were the *ACT Health Guidelines for Recreational Water Quality* most recently updated and are there any future plans to review the guidelines.
- (6) How does the Government make information about water quality and exposure risks available to the public.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

- (1) There are many scientific publications on the adverse health effects of blue-green algae. Blue green algae (cyanobacteria) are bacteria that grow in wide variety of environments, notably in fresh water. The human health effects are caused mainly by toxins that are produced by these bacteria. These toxins include neurotoxins (that can affect the nervous system), hepatotoxins (that can affect the liver) and endotoxins (that are contact irritants and can cause dermatitis and conjunctivitis). The health effects due to cyanobacterial toxins can vary according to the type of toxin, the amount of toxin that the person is exposed to and the type of water related exposure (drinking, inhalation, skin contact etc.). The World Health Organisation (WHO) - http://www.who.int/water_sanitation_health/en/ - and the US Centres for Disease Control - <http://www.cdc.gov/nceh/hsb/hab/default.htm> - have published guidelines and other documents that have synthesised the scientific evidence on cyanobacteria.
- (2) There has been a human fatality in the United States of America that has been attributed to recreational exposure to cyanobacteria. There are several studies reporting a range of illnesses from contact with water contaminated by toxic blue-green algae. These vary from allergic reactions, gastrointestinal diseases (acute severe gastroenteritis including diarrhoea and vomiting or liver toxicity) to respiratory disease (pneumonia or hay fever like symptoms).
- (3) The National Health and Medical Research Council (NHMRC) produces national guidelines on recreational water quality based on a preventative risk management approach - <http://www.nhmrc.gov.au/guidelines/publications/eh7>. The ACT guidelines are based on the national guidelines as well as the WHO guidelines and include the most recent research. The Health Protection Service assessed the risks of blue-green algae when developing the *ACT Health Guidelines for Recreational Water Quality* and also reviewed the NHMRC and the WHO guideline alert levels. This is why the ACT guidelines incorporate alert levels from both the NHMRC as well as from the WHO.
- (4) Blue-green algae is not the only health risk to lake users, there are a number of other hazards including physical hazards, sun, heat and cold, chemical and microbial hazards. I refer you the NHMRC Guidelines for Managing Risks in Recreational

Water for a full list of hazards. The *ACT Health Guidelines for Recreational Water Quality* supplements the NHMRC guidelines and clarifies two aspects that are a particular issue in the ACT namely the blue-green algae and microbial pathogens.

- (5) The *ACT Health Guidelines for Recreational Water Quality* were updated in June 2010, the guidelines will be reviewed when additional evidence becomes available. The Health Protection Service maintains a watching brief on blue-green algae and adverse health effects which includes recreational activities.
- (6) The National Capital Authority (NCA) is responsible for the management of Lake Burley Griffin. To ensure a consistent approach to the management of risks associated with water quality and recreational use of water bodies, the NCA makes decisions about lake closures in accordance with the Guidelines developed by the ACT Health Directorate. The NCA undertakes water quality testing at least once per week from October to April for bacterial indicators. Algae are monitored weekly all year. Full results of water quality tests for Lake Burley Griffin are published each week on the NCA website www.nationalcapital.gov.au. There is a link from the main front page to the Water Quality Updates. When water quality issues are detected, the NCA provides public warnings via its website, a web-based subscription service, media releases and Twitter. Where extreme levels of risk exist, the NCA also places warning signs at swim beaches. The NCA, through its Lake User Group, has distributed information about the risks associated with exposure to harmful bacteria and blue-green algae to lake users through the clubs and associations. The NCA also publishes a link to the ACT Water Quality Guidelines for Recreational Waters on its website. The NCA ensures that organisers of events on Lake Burley Griffin are aware of health-risks associated with water quality.

In regard to other lakes in the ACT, the Environment Protection Authority (EPA) undertakes weekly inspections of Lake Ginninderra, Lake Tuggeranong and the Molonglo Reach Water Ski area. These inspections are carried out throughout the year. Where blue-green algae is identified, water samples are taken and appropriate action is taken. In determining the appropriate action to take the EPA refers to the *ACT Health Guidelines for Recreational Water Quality*. Results are reported weekly on the Environment and Sustainability Development Directorate web-site (http://www.environment.act.gov.au/water/water_quality/blue-green_algae_monitoring) and via a 'Lakes' email group. This information outlines if the lakes are open or closed to the public for primary or secondary contact. These weekly up-dates are the key method of communication with the public if the algae alert level is low. If the algae alert level is classified as 'medium' or 'high', media releases are also developed to communicate this information to the public. The EPA has developed a 'Lakes Media Release distribution list' to assist disseminating this information to clubs and associations. The EPA works with representatives from Territory and Municipal Services to ensure warning signs are displayed at the lake/s as appropriate. When the algae falls below alert levels all previously notified organisations are advised, and the web-site is updated to reflect that the alert has been lifted.

Environment—carbon neutral schools (Question No 2040)

Mr Rattenbury asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012 (*redirected to the Minister for Education and Training*):

- (1) In relation to the *ACT Climate Change Strategy 2007-2025* requirement that government and non-government schools in the ACT become carbon neutral by 2017, can the Minister provide documentation to indicate whether ACT schools are on-track to meet this target.
- (2) If ACT schools are not currently on-track, can the Minister advise what measures are being developed to ensure the (a) target is met or (b) target is met as soon as possible after 2017.

Dr Bourke: The answer to the member's question is as follows:

- (1) The ACT Government remains committed to the aspirational target that Canberra schools become carbon neutral by 2017 as part of the ACT Greenhouse Strategy. ACT public school upgrades and capital works emphasise energy efficiency and minimise energy usage where ever possible.
- (2) See (1) above.

Territory and Municipal Services Directorate—operational arrangements (Question No 2041)

Mr Rattenbury asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

Can the Minister provide details of how operational arrangements between Conservation Rangers in Parks Conservation and Lands (Territory and Municipal Services Directorate) and research and policy staff in the Environment and Sustainable Development Directorate are being managed to ensure integrated research, policy, development and delivery of nature conservation objectives in the ACT.

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

Staff from the Environment and Sustainable Development Directorate (ESDD) and the Parks and Conservation Services (PaCS) in Territory and Municipal Services Directorate are committed to the continued integration of research, policy and land management for nature conservation in the ACT.

This is achieved through regular staff interaction and coordination on projects that have shared outcomes, for example threatened species management. It is also governed by a Memorandum of Understanding (currently being finalised) between the agencies and through regular meetings between the ESDD Policy Division and PaCS.

Environment—legislation (Question No 2042)

Mr Rattenbury asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

- (1) Given your statement of June 2011 that the amended Nature Conservation Act would be tabled in the fourth quarter of 2011 and noting that the Government's 2012 legislation program, tabled in the Assembly on 14 February, referred only to an exposure draft being released, can the Minister advise what the timetable for finalising the legislation is.
- (2) Can the Minister advise what the consultation plans and timeline are.
- (3) What is the implication of the recent delays for the rest of the timetable.

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

- (1) An exposure draft for proposed revisions to the *Nature Conservation Act 1980* is expected in the first half of 2012. Policy development and drafting of benchmark contemporary legislation is ambitious and complex. Revisions will reflect key policy issues raised during the Review of the *Nature Conservation Act 1980*, and modernising the legislation to reflect new issues or administrative arrangements that have arisen since the statute was first enacted, including to ensure that the Act is compliant with the ACT's *Human Rights Act 2004*. The final timetable will depend upon the level of changes required to the Exposure Draft based on consultation, and other legislative priorities.
- (2) Consultation is expected to occur through consideration of the exposure draft legislation in the first half of 2012.
- (3) The final timetable for introduction is proposed for the second half 2012.

Environment—renewable energy targets (Question No 2043)

Mr Rattenbury asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

- (1) In relation to Disallowable Instrument D12011-81 made under the *Climate Change and Greenhouse Gas Reduction Act 2010*, section 9, Renewable Energy Targets, can the Minister provide a copy of the modelling and/or other data used to determine that a 25% by 2020 target is consistent with (a) peaking per capita emissions by 2013, (b) meeting the 40% emissions reduction target by 2020 and (c) ensuring the ACT is on-track to achieve zero net emissions by 2060.
- (2) Can the Minister provide a current breakdown of the ACT's renewable energy delivery, including (a) from what sources it is derived, (b) how much is coming from local ACT generation and how much from external GreenPower, (c) expected future (2020 and 2050) generation of renewable energy in the ACT, for example, projected GWh of renewable electricity in 2020 and 2050 and (d) expected future uptake of GreenPower, expressed in GWh.
- (3) Can the Minister provide a copy of the most current data he has regarding the ACT's non-renewable, that is, gas and coal-fired electricity, energy consumption breakdown, expressed in GWh.

- (4) At what intervals will the ACT's progress towards its renewable energy targets be reported upon through the ACT Greenhouse Gas Inventory.
- (5) When will subsequent, for example, 2050 and 2060, renewable energy targets for the ACT be set and how will the community be consulted with in determining these targets.
- (6) What mechanisms for review of the ACT's renewable energy targets will be established, additional to them being reported upon through the Greenhouse Gas Inventory.
- (7) In relation to section 10, Energy Efficiency Targets, of the *Climate Change and Greenhouse Gas Reduction Act 2010*, and noting that the Minister is currently in the process of determining targets for the per capita use of electricity in the ACT, can he advise (a) how these targets are being developed and (b) what the current timeframe for their release is.

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

- (1) The Government has not claimed that our renewable energy consumption targets are consistent with meeting the 40% emissions reduction target by 2020. At the time of making DI12011-81 the Government stated that the renewable energy consumption target for 2020 would be reviewed in light of *Weathering the Change Action Plan 2* which establishes a policy framework for delivering emissions reductions in the Territory including 2020 and 2060 targets. It was not appropriate at the time of making the renewable energy targets to pre-empt the final form of Action Plan 2 and community consultations that underpin that document.

The following report has ACT per capita emissions peaking by 2013 (p.29):

http://www.environment.act.gov.au/__data/assets/pdf_file/0004/237892/Final_Report_27July2011.pdf.

- (2) The following table provides a breakdown of estimated contributions from major renewable energy sources at the time of developing the renewable energy targets. These targets represented existing policy settings at that time and do not reflect expected outcomes from government policies currently under development including *Weathering the Change Action Plan 2*. Actual renewable energy consumption is different to that modelled due to a range of factors including rainfall which has a large impact on hydro generation.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
NEM	9%	9%	10%	11%	12%	13%	14%	15%	16%	17%	18%
Contribution											
Local	0.2%	0.3%	0.4%	0.4%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%	2.3%
Generation											
GreenPower	4.6%	5.9%	6.4%	6.9%	7.4%	7.9%	8.4%	8.8%	8.7%	8.7%	8.7%
Total	13%	15%	16%	18%	22%	24%	25%	26%	27%	28%	29%

The Government does not have information on the current sources which make up GreenPower purchases in the Territory. Virtually all of our GreenPower is imported from other jurisdictions.

- (3) The Government does not have access to current and reliable data on non-renewable energy consumption in the Territory. Estimates developed at the time of developing

the Territory's renewable energy targets were for non-renewable electricity consumption for 2012 to be around 2,500 GWh.

- (4) The Government expects to move to annual reporting of renewable energy usage following the first report against the 2012 target.
 - (5) The Government has not established a timetable for reporting against targets in 2050 and 2060. Policies to encourage the uptake of renewable energy will be set out in *Weathering the Change Action Plan 2* which the Government will be releasing in 2012.
 - (6) At the time of making DI12011-81 the Government stated that the renewable energy consumption target for 2020 would be reviewed in light of *Weathering the Change Action Plan 2*.
 - (7) The Government is developing per capita targets for the use of non-renewable energy in the Territory for *Weathering the Change Action Plan 2* which is planned for release in 2012.
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Legislative Assembly—staff timesheets (Question No 2045)

Mrs Dunne asked the Deputy Chief Minister, upon notice, on 23 February 2012:

- (1) In all the Minister's ministerial capacities, how many instances in your office have staff failed to submit timesheets to the relevant corporate area within (a) one, (b) two, (c) four, (d) eight and (e) greater than eight, weeks of the relevant period.
- (2) What actions have been taken in relation to staff submitting timesheets late.

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

- (1) The Auditor-General's report of August 2009 examined and reported on this matter.

The submission of staff timesheets are in accordance with the provisions of the ACT Legislative Assembly Members' Staff (LAMS) Enterprise Agreement 2011-2013 and its predecessor agreements

- (2) See answer to (1) above.
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Legislative Assembly—staff timesheets (Question No 2046)

Mrs Dunne asked the Treasurer, upon notice, on 23 February 2012:

- (1) How many instances in the course of the Seventh Assembly has Shared Services received from executive offices staff timesheets within (a) one, (b) two, (c) four, (d) eight and (e) greater than eight, weeks of the relevant period.
- (2) What actions have been taken in relation to executive members whose staff have submitted timesheets late.

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

- (1) Under the Legislative Assembly Members' Staff (LAMS) Enterprise Agreement 2011-2013 there is no requirement for timesheets to be lodged with Shared Services.
- (2) See answer to (1) above.

**ACT public service—workplace investigations
(Question No 2051)**

Mrs Dunne asked the Attorney-General, upon notice, on 23 February 2012:

How many workplace investigations/reviews have been (a) requested and (b) carried out in the Minister's directorate.

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

- (a) In the period from 1 July 2011 to 29 February 2012, 16 investigations were requested across the Directorate inclusive of ACT Corrective Services and the Emergency Services Agency.
- (b) Of these, 4 investigations have been finalised.

**ACT public service—workplace investigations
(Question No 2052)**

Mrs Dunne asked the Minister for Police and Emergency Services, upon notice, on 23 February 2012:

How many workplace investigations/reviews have been (a) requested and (b) carried out in the Minister's directorate.

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

As this question relates to the activities of the Justice and Community Safety Directorate, I refer the Member to my answer to Question on Notice No 2051.

**Industrial relations—community sector award
(Question No 2057)**

Mrs Dunne asked the Minister for Community Services, upon notice, on 23 February 2012:

- (1) In relation to the decision on the community sector award, how many workers in the ACT are covered by the recent award decision.
- (2) How many community service agencies will have to pay higher wages as a result of the recent award decision.

- (3) How many of these (a) workers and (b) community service agencies are funded by the (i) ACT Government and (ii) Federal Government.
- (4) How many of these (a) workers and (b) community service agencies are jointly funded by the ACT and Federal Governments.
- (5) What research has been undertaken by the ACT Government into its exposure to increased payments as a result of the awards.
- (6) When did any research referred to in part (5) take place.
- (7) Will any research referred to in part (5) need to be updated in the light of the recent decision.
- (8) How much does the Government anticipate that the recent award decision will cost the ACT Budget.

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

- (1) The best current estimates are approximately 3,800 community sector workers in the ACT that either are, or who will become, affected by the recent decision by the Full Bench of Fair Work Australia (FWA);
- (2) There are approximately 130 employers in the ACT who currently employ workers who are subject to the award, or may become subject to the award, over the phase in period for new award salaries;
- (3) There are approximately 2,980 employees in the community sector in the ACT who are employed in programs funded wholly or in part through contracts with the ACT Government. The ACT Government has contracts with approximately 150 of the 165 community sector employers operating in the ACT. Of these 165, approximately 130 employ workers who are both subject to the award and delivering programs contracted by the ACT Government. The Australian Government funds approximately 35% of the totals contracted through agreements between the ACT Government and the ACT community sector. It is not known how many employers in the ACT community sector are directly funded by the Australian Government.
- (4) The ACT Government purchases outputs from community sector organisations through programs agreed with these organisations. The number of workers delivering these programs can vary. A number of these programs are related to National Partnership Agreements and other agreements with the Australian Government. It is not possible to be precise as to how many workers in the community sector in the ACT are direct recipients of salaries derived from joint funding. At the global level, however, the Australian Government proportion of funding that contributes to salary is equivalent to approximately 35% of the cost of salaries in the sector in the ACT.
- (5) The ACT undertook a census of salary arrangements in the ACT community sector in order to estimate the potential impact of the equal remuneration case. A report onto the outcomes of that census was attached to the ACT's submission to the Full Bench of FWA in July 2011.
- (6) Between December 2010 and February 2011.

- (7) The Government is considering the need to conduct a rerun of the census.
- (8) The outcome of the equal remuneration case will be phased in over nine financial years and the final cost of support for the case will reflect the changing size and shape of the community sector in the ACT over that time. The cost over a nine year phase in period is currently estimated to be \$32.9m.

Health—community nurses (Question No 2060)

Mr Hanson asked the Minister for Health, upon notice, on 23 February 2012:

In relation to community nurses based at the (a) Belconnen, (b) Phillip, (c) City, (d) Tuggeranong and (e) Dickson health centres in 2011-12, what is the (i) total number of community nurses employed at these locations, (ii) number of community nurses at these locations by classification, (iii) total cost to Government of employment of these community nurses employed at these locations, (iv) total number of administrative (non-nursing) staff employed at these locations to support the community nurses and (v) total cost to Government of employment of these administrative (non-nursing) staff.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

(a) Belconnen Health Centre

- i. Nursing Belconnen – 15.05 total FTE of clinical community nurses providing direct clinical care.
- ii. EN - 3.42; RN1 - 4.79; RN2 - 6.84 provide direct clinical care and does not include the manager RN 4.1 at 1FTE, nurse consultant (CNC) RN3.1 at 1 FTE, and a Clinical Development Nurse (CDN) RN2 at 1 FTE. There are two Clinical Development Nurses to support all community nursing teams - 1 for south Canberra and 1 for north Canberra. The CDN at Belconnen supports the north side of Canberra.
- iii. \$1,257,700 total cost to Government of clinical community nurses for direct clinical care. This cost does not include the manager, nurse consultant and clinical development nurse.
- iv. (iv) Administrative staff employed at the health centre provide support across clinical divisions. Their support for Community Nursing is for file management and reception. There is no specific RACC administrative support attached to the team.
- v. \$0.00

(b) Phillip Health Centre

- i. Nursing Phillip – 14.44 total FTE of clinical community nurses providing direct clinical care.
- ii. EN - 2.49; RN1 - 4.11; RN2 - 7.84 provide direct clinical care and does not include the manager RN 4.1 at 1 FTE, nurse consultant RN3.1 at 1 FTE, and a CDN RN2 at 1 FTE. This CDN supports the south side of Canberra.
- iii. \$1,214,700 total cost to Government of clinical community nurses for direct clinical care. This cost does not include the manager, nurse consultant and clinical development nurse.

- iv. Administrative staff employed at the Health centre provide support across clinical divisions. Their support for Community Nursing is for file management and reception. There is no specific RACC administrative support attached to the team.
- v. \$0.00

(c) City Health Centre

- i. Nursing City – 14.58 total FTE of clinical community nurses providing direct clinical care.
- ii. EN – 3.00; RN1 – 4.58; RN2 – 7.00 provide direct clinical care and does not include the manager RN 4.1 at 1FTE or nurse consultant RN3.1 at 1FTE.
- iii. \$1,205,200 total cost to Government of clinical community nurses for direct clinical care. This cost does not include the manager, nurse consultant and clinical development nurse.
- iv. Administrative staff employed at the health centre provide support across clinical divisions. Their support for Community Nursing is for file management and reception. There is no specific RACC administrative support attached to the team.
- v. \$0.00

(d) Tuggeranong Health Centre

- i. Nursing Tuggeranong – 14.00 total FTE of clinical community nurses providing direct clinical care.
- ii. EN – 2.4; RN1 – 4.00; RN2 – 7.6 provide direct clinical care and does not include the manager RN 4.1 at 1 FTE or nurse consultant RN3.1 at 1 FTE.
- iii. \$1,111,459 includes all staff – manager, CNC, RNs and ENs.
- iv. Administrative staff employed at the health centre provide support across clinical divisions. Their support for Community Nursing is for file management and reception. There is no specific RACC administrative support attached to the team.
- v. \$0.00

(e) Dickson Health Centre

- i. Dickson Health Centre is serviced by the City Community Nursing Team, there are no staff based at this centre – refer to (c) above.
- ii. All staff come from the Central Community Nursing Team – refer to (c) above.
- iii. All staff come from the Central Community Nursing Team – refer to (c) above.
- iv. Administrative staff employed at the health centre provide support across clinical divisions. Their support for Community Nursing is for file management and reception. There is no specific RACC administrative support attached to the team.
- v. \$0.00

Mental Health Community Nursing

(a) Belconnen Mental Health:

- vi. 7 mental health nurses;
- vii. 4 x RN3, 3 x RN2;
- viii. \$598 000;
- ix. Nil administration staff to support nurses; and
- x. \$ 0.

(b) Phillip Mental Health

- i. 6 mental health nurses;
- ii. 2 x EN1, 1 x RN2, 3 x RN3;
- iii. \$489, 000;
- iv. Nil administration staff to support nurses; and
- v. \$ 0.

(c) City Mental Health

- i. 8.7 mental health nurses;
- ii. 4.7 x RN3 and 4 x RN2;
- iii. \$922, 000;
- iv. Nil administration staff to support nurses; and
- v. \$ 0.

(d) Tuggeranong Mental Health

- i. 4 mental health nurses;
- ii. 1 x RN2, 3 x RN3;
- iii. \$419, 000;
- iv. Nil administration staff to support nurses; and
- v. \$ 0.

(e) Dickson Health Centre

- i. 0 mental health nurses;
- ii. 0 nurses;
- iii. \$ 0;
- iv. Nil administration staff to support nurses; and
- v. \$ 0.

Women's, Youth and Children's Community Nursing

(a) Belconnen Health Centre (provides maternal and child nurses):

- i. 25.78 FTE community nurses;
- ii. 1 x RN4, 1 x RN3, 22.15 x RN2, 1.63 RN1;
- iii. \$2,257,606;
- iv. 1 x ASO3 to provide administrative support; and
- v. \$ 54,382.

(b) Phillip Health Centre (Women's Health Services):

- i. 0 community nurses;
- ii. 0 nurses;
- iii. \$ 0;
- iv. Nil administration staff to support nurses; and
- v. \$ 0.

(c) City Health Centre (Women's Health Service, Community Paediatrics, Caring for Kids, Audiology Screening, Immunisations):

- i. 22.58 FTE community nurses;
- ii. 1 x RN4, 2.78 x RN3, 11.45 x RN2, 6.72 x RN1, 0.63 x EN1;
- iii. \$1,524,276;
- iv. 0.48 x ASO4, 1.6 x ASO3, 2.8 x ASO2 to provide administrative support; and
- v. \$252,034.

(d) Tuggeranong Health Centre (provides maternal and child nurses):

- i. 24.52 FTE community nurses;
- ii. 1 x RN4, 1 x RN3, 20.10 x RN2, 2.42 x RN1;
- iii. \$2,150,856;
- iv. 1 x ASO3 to provide administrative support; and
- v. \$54,672

(e) Dickson Health Centre:

- i. 0 community nurses;
- ii. 0 nurses;
- iii. \$ 0;
- iv. Nil administration staff to support nurses; and
- v. \$ 0

ACT public service—redundancy payments (Question No 2063)

Mr Seselja asked the Chief Minister, upon notice, on 23 February 2012 (*redirected to the Treasurer*):

- (1) How many redundancy payments have been made to ACT government staff during the course of the last five financial years including year-to-date, including but not limited to public servants and staff covered by the Legislative Assembly (Members' Staff) Act.
- (2) What is the total number of payments.
- (3) What is the range of payments in dollar terms.
- (4) What is the average payment.
- (5) What was the maximum payment.
- (6) Have any staff received multiple redundancies; if so, on what basis were these redundancies paid.
- (7) On what basis were these staff made redundant.

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

- (1) 389
- (2) 389
- (3) \$2,830 to \$266,415
- (4) \$85,088
- (5) \$266,415
- (6) Nil.
- (7) Redundancies are made consistent with Enterprise Agreements:

Note: These figures exclude agencies not paid by Shared Services including non Government members of the Legislative Assembly and their staff.

Health—patient care (Question No 2067)

Mr Seselja asked the Minister for Health, upon notice, on 23 February 2012:

- (1) How many medical staff have submitted email forms or letters stating concerns over patient care and/or clinical outcomes being potentially or actually compromised due to time pressures and/or excessive hours worked.
- (2) How many individual cases and claims have been made.

Ms Gallagher: I am advised that the answer to the member's question is as follows:

The Health Directorate is unable to respond to this question in its current form as the parameters in both questions are too broad.

Labor Party—meetings (Question No 2070)

Mr Smyth asked the Deputy Chief Minister, upon notice, on 23 February 2012:

- (1) Has any Labor Party meeting or Labor faction meeting of any description been held in the Minister's ministerial office suite; if so, (a) how many times and on what date and (b) was payment made at the time.
- (2) If payment was made can the Minister detail the (a) date of each meeting, (b) what were the amounts paid for each meeting and (c) date that the payment was made for each meeting.
- (3) Has any Labor Party meeting or Labor faction meeting of any description been held in the Assembly that was sponsored and/or facilitated by the Minister or any of his employees; if so, (a) how many times and on what dates and (b) was payment made at the time.
- (4) If payment was made can the Minister detail the (a) date of each meeting, (b) what were the amounts paid for each meeting and (c) date that the payment was made for each meeting.

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

- (1) I have undertaken a wide range of activities to fulfil my duties as the Member for Molonglo, a number of which have involved the use of my office facilities. This is consistent with long-established practice, as set out for example by the Clerk of the Assembly in a letter to the then Speaker on 27 June 2008.
- (2) See answer to (1) above.
- (3) See answer to (1) above.
- (4) See answer to (1) above.

**ACTION bus service—MyWay card
(Question No 2079)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 23 February 2012:

- (1) What is the average distance travelled on ACTION buses as measured by the MyWay ticketing system, since the introduction of the system.
- (2) How many passenger boardings have been recorded, by month, since the MyWay ticketing system was introduced.

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

- 1) The average distance travelled by passengers using the MyWay ticketing system is a metric that will be available when the MyWay reporting system is completed in mid 2012.
- 2) The MyWay system was officially introduced in April 2011. Passenger boardings by month since then are as follows:

Month	Passenger Boardings
2011-Apr	1,254,866
2011-May	1,712,409
2011-Jun	1,572,079
2011-Jul	1,338,445
2011-Aug	1,763,450
2011-Sep	1,682,695
2011-Oct	1,419,107
2011-Nov	1,710,926
2011-Dec	1,228,422
2012-Jan	1,030,785
2012-Feb	1,645,616

InTACT—outsourced executive services (Question No 2080)

Mr Coe asked the Treasurer, upon notice, on 23 February 2012:

- (1) How much money has been spent on outsourced executive services at InTACT for each financial year since 2006-07.
- (2) For how many hours, or days, have contractors been paid for outsourced executive services at InTACT for each financial year since 2006-07.
- (3) What is the maximum, minimum and average hourly, or daily, rate of pay for outsourced executive services at InTACT for each financial year since 2006-07.
- (4) What is the maximum, minimum and average cost per Minister's office for mobile phones identified for each month in 2011.
- (5) In relation to contract 2010.15442.220, (a) what was the contract amount, upper limit and daily amount, (b) how many hours/days were undertaken through the contract, (c) what was the price stipulated in the contract variation, (d) why does the new contracts register not have a contract amount, (e) how much money was expended and (f) what work was undertaken for the contract.

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

(1) – (3)

Year	Number of working days	Daily rate (ex GST)	Amount (ex GST)
2006-07	237.5	\$1,101	261,487
2007-08	19	\$1,101	20,919
2008-09	0	0	0
2009-10	0	0	0
2010-11	Not Available*	Not Available*	174,100
2011-12 (Feb YTD)	Not Available*	Not Available*	68,900

*subject to confidentiality agreement

(4) The Executive is billed as a single unit. See attachment A for details.

(5) (a) – (e) This information is subject to a confidentiality agreement.

(f) To fill the position of Executive Director at Shared Services ICT while the nominal occupant was initially on leave and then on secondment in other positions/roles.

(A copy of the attachment is available at the Chamber Support Office).

ACT public service—workplace investigations (Question No 2084)

Mr Coe asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 23 February 2012:

How many workplace investigations/reviews have been (a) requested and (b) carried out in the Minister's directorate.

Dr Bourke: The answer to the member's question is as follows:

In 2011-2012, no workplace investigations or reviews were requested or carried out in the Office for Aboriginal and Torres Strait Islanders Affairs, Community Services Directorate.

**ACT public service—workplace investigations
(Question No 2087)**

Mr Coe asked the Minister for Corrections, upon notice, on 23 February 2012:

How many workplace investigations/reviews have been (a) requested and (b) carried out in the Minister's directorate.

Dr Bourke: The answer to the member's question is as follows:

As this question relates to the activities of the Justice and Community Safety Directorate, I refer the Member to the Attorney-General's answer to Question on Notice No 2051.

**Waste—collection contracts
(Question No 2089)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 23 February 2012:

- (1) In relation to kerbside waste collection, what are the terms of the current ACT garbage collection vehicle contract(s).
- (2) How many garbage trucks are currently operating in the ACT under this contract.
- (3) How many contracts govern this service delivery.
- (4) Is landfill waste and recycling covered in the same contract; if not, what are the separate contracts.
- (5) Can the Minister provide details of these contracts including duration and value.

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

- (1) Terms and conditions relating to waste collection vehicles form part of the single contract for the delivery of the Government's domestic waste and recycling service. That service agreement is Contract No. C02386 *Provision of Domestic Waste and Recyclable Materials Collection Services*.

- (2) There are 32 trucks currently operating in the ACT under the contract for Provision of Domestic Waste and Recyclable Materials Collection Services. 20 trucks are used for collection of domestic waste and 12 trucks are used for collection of domestic recycling.
 - (3) There is one contract for the delivery of the Government's domestic waste and recycling service.
 - (4) Under the contract referenced above, the general waste is disposed to landfill at the Mugga Lane Resource Management Centre under Contract number C07266 *Management of the site services and landfill operations at the Mugga Lane Resource Management Centre (RMC)*. Recycling is processed at the Materials Recovery Facility in Hume under contract number C02456 *The provision, operation and maintenance of a recyclable materials recovery facility*. All material not captured for recycling at the Materials Recovery Facility is transferred to landfill.
 - (5) Details of the three contracts in 2010-11 are:
 - i. Contract No. C02386 Provision of *Domestic Waste and Recyclable Materials Collection Services* was \$9,591,986.00. This contract expires on 27 April 2013;
 - ii. C07266 *Management of the site services and landfill operations at the Mugga Lane Resource Management Centre (RMC)* was \$2,556,725.00. This contract expires on 12 June 2015; and
 - iii. C02456 *The provision, operation and maintenance of a recyclable materials recovery facility* was \$941,175.00. This contract expires on 30 November 2013.
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Enlighten festival—local artists (Question No 2090)

Ms Le Couteur asked the Minister for Economic Development, upon notice, on 23 February 2012 (*redirected to the Minister for Tourism, Sport and Recreation*):

- (1) How many artists/performers from the ACT are being engaged by the Enlighten festival and what proportion of the total does this represent.
- (2) How much money (grants, subsidies, wages) is being paid to ACT artists and performers engaged by the Enlighten Festival and what proportion of the total budget does this represent.

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

- (1) 52 local artists and performers were engaged to perform at ENLIGHTEN 2012. This represents 53 per cent of all artists and performers contracted by Australian Capital Tourism.

Note: Event partners (the national attractions) also contracted local artists.

- (2) The amount of money (grants, subsidies and wages) paid to ACT artists and performers is approximately \$24,450 which represents 11.5 per cent of the total

programming budget for ENLIGHTEN 2012 (and 2 per cent of the overall ENLIGHTEN 2012 budget).

Note: Local artists were a major feature of this year's ENLIGHTEN through activities such as the visual designs that were projected on five national attractions throughout the event.

**Waste—commercial sector recycling practices
(Question No 2091)**

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

In relation to commercial waste, can the Minister provide a copy of the Inovact Consulting Report 2010 into commercial sector recycling practices, as detailed on page 4 of the December 2011 Hyder report entitled *Assessment of waste infrastructure and service options for the ACT*.

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

The report is on the Environmental and Sustainable Development Directorate's website. Members can download this document from http://www.environment.act.gov.au/waste/act_waste_management under the heading 'Reports'.

**Environment—community gardens
(Question No 2092)**

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

- (1) Given that in the Minister's response to the resolution of 9 March 2011 regarding community gardens he committed the Government to undertake a scoping study to investigate local food production in the ACT, what progress has the Government made with this study.
- (2) When does the Government expect to release this study.

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

- (1) I announced that the Government will undertake a scoping study to investigate local food production in the ACT as part of the *Response to resolution of 9 March 2011 relating to community gardens*, which I tabled in the Assembly on 28 June 2011; I also proposed to refer this matter to the Strategic Board for advice.

In response, the Environment and Sustainable Development Directorate (ESDD) has allocated funding to develop a brief for a scoping study to investigate local food production. Given the complexity of issues around food production, ESDD is currently having discussions with key organisations to ascertain who has the appropriate research and technical capacity to undertake this work.

- (2) The results of this scoping study are expected to be made available later in 2012. At this stage a more detailed program is being developed to ensure a rigorous approach is taken to the collection of data and to identifying the diverse stakeholders, including regional neighbours, that must be included in the study.
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**Planning—solar access
(Question No 2093)**

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

- (1) What factors are considered when weighing the competing interests of existing trees and solar access to buildings.
- (2) What rules apply in this situation and how is the decision made.
- (3) Do the rules vary, depending on whether it is a building in a new suburb, a new building in an existing suburb, or an existing building in an existing suburb.
- (4) What role does the Conservator for Flora and Fauna play in decisions in these instances.
- (5) For what reasons can the ACT Planning and Land Authority or the Territory and Municipal Services Directorate override the Conservator's advice.

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

- (1) The Conservator for Flora and Fauna shall determine if the existing tree meets criteria for removal under the Tree Protection (Approval Criteria) Determination 2006 (No 2) (DI 2006-60). This determination contains criteria for the purpose of section 21 of the *Tree Protection Act 2005*. For example, criteria (1)(e) of the determination permits the Conservator of Flora and Fauna to give approval to damage a regulated tree when the tree is substantially affecting solar access to the lessee's lease, or neighbouring lease, during winter between the hours of 9am to 3pm and pruning is not sufficient to remedy this (excluding remnant eucalypts). In addition, the criteria require that all other reasonable remedial treatments and risk mitigation measures have been determined to be ineffective.

When deciding whether the criteria in paragraph 1 of the determination are met, the Conservator may consider:

- (a) any exceptional circumstances that have been raised by the applicant, taking into account advice from the Tree Advisory Panel;
- (b) the importance of the tree in the surrounding landscape; and
- (c) if the tree is a species listed on schedule 3 of the Determination, whether the tree has ecological importance to the local environment.

In the event the building is the subject of a Development Application (DA), and the Conservator determines the tree does not meet any criteria for removal, the ACT Planning and Land Authority (ACTPLA) may make a decision that is inconsistent with the Conservator's advice.

- (2) See response to (1) above.
- (3) No, the Rules under the Tree Protection (Approval Criteria) Determination 2006 (No 2) (DI 2006-60) do not vary.
- (4) In the event the building is the subject of a DA, and the site includes a regulated tree, the DA will be referred to the Conservator for advice. The Conservator will advise if they determine the tree does, or does not, meet any criteria for removal. If the ACT Planning and Land Authority proposes to make a decision to act inconsistently with the Conservator's advice, the Conservator's liaison officer will be invited to attend a senior level panel and provide input in the consideration of the DA
- (5) ACTPLA may only override the advice of the Conservator for a regulated tree if the person deciding the application is satisfied that the following have been considered:
 - (i) any applicable guidelines;
 - (ii) any realistic alternative to the proposed development, or relevant aspects of it; and

The decision is consistent with the objects of the Territory Plan.

ACTPLA cannot act inconsistently with the advice of the Conservator with respect to a registered tree.

The Environment and Sustainable Development Directorate is not aware of reasons for which the Territory and Municipal Services Directorate can make a decision that overrides the Conservator's advice.

Planning—regulatory impact statements (Question No 2094)

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

- (1) Are Regulatory Impact Statements for planning regulations prepared in advance of the regulations they assess.
- (2) Who prepares Regulatory Impact Statements for planning regulations.
- (3) How are Regulatory Impact Statements used to determine whether the impacts of the Regulation will be significant and what criteria are applied.

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

- (1) Yes.

- (2) Regulatory Impact Statements are prepared within the Environment and Sustainable Development Directorate.
 - (3) Regulatory Impact Statements are used to identify objectives, options and any mutual recognition issues and to provide an analysis of costs and benefits. The statements are prepared taking into account the Legislation Act, Treasury Guidelines, and the Terms of Reference of the Scrutiny of Bills and Subordinate Legislation Committee.
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Planning—development applications (Question No 2095)

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

- (1) When development application approvals are made with a range of caveats which require changes to the plans submitted, what processes are undertaken to ensure that the required changes are made in the plans.
- (2) How often are development applications approved without the final plans being provided.
- (3) What rules apply in this situation and how is the decision made.

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

- (1) The applicant is required to submit the revised plans to the ACT Planning and Land Authority (ACTPLA) in accordance with the conditions of approval. ACTPLA will assess that the conditions have been satisfied and if so stamp the approved plans and release them to the applicant. If plans require changing as per the conditions of approval they are not stamped and released until the relevant condition has been satisfied.
- (2) It is not unusual for a condition of approval to be imposed that requires changes to the plans submitted, particularly for larger more complex development proposals.

ACTPLA does not monitor how often development applications are approved without the final plans being provided however it would be expected to be less than 10% of decisions made.

- (3) Section 165 of the *Planning and Development Act 2007* permits that conditions may be imposed on a development approval requiring changes to be made to any plan, drawing, specification or other document forming part of the application for approval.

The decision maker will give consideration to whether the required change can be adequately described via a condition imposed on an approval, or if the applicant should be required to provide further information prior to the decision being made. Frequently the wording of a condition, and when required an attached annotated plan, is sufficient to describe the changes required without the need for the submission of final plans prior to the development application decision being made.

**Planning—lease fee waivers
(Question No 2096)**

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

- (1) How many waivers of lease fees has the ACT Planning and Land Authority granted for commercial leases.
- (2) What is the total value of these waivers.
- (3) For what purpose were each of these waivers granted.
- (4) What criteria apply to these waivers.
- (5) What rules apply to these determinations and how are the decisions made.

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

- (1) For the last financial year 2010/2011 ESDD has waived fees for commercial leases consistent with the moratorium put in place by ACT Treasury in the wake of the Global Financial Crisis (GFC). The waiver commenced on 1 July 2009 and ended on 30 June 2011.

Three waivers relating to the period covered by the moratorium have been processed for the 2010-2011 financial year.
- (2) The above mentioned waivers for the 2010-2011 financial year have a value of \$163,961.66.
- (3) The above mentioned waivers were granted as part of the Governments response to the financial impact of the GFC on the ACT building and construction industry and recognised the difficulty of raising capital during the GFC.
- (4) The criteria were established by the Treasury Directorate as a Delegation under the *Financial Management Act 1996*. The waiver of lease fees applied to relevant commercial and industrial leases in a non-residential zone. They needed to be in zones where only industrial or commercial development was approved to be a mixed residential / commercial development where the residential component formed no more than 49% of the gross floor area.
- (5) The lease must have permitted industrial / commercial development; or permitted mixed use development providing the lease required the residential component to be no more than 49% of floor area; or authorised by a development approval including conditions to restrict development to commercial / industrial and / or mixed use only and requiring the residential component to be no more than 49% of the gross floor area.

Decisions are made by assessing applications against the criteria.

**Environment—community gardens
(Question No 2097)**

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 23 February 2012:

- (1) What progress has the Government made in finalising the site selection criteria for community gardens and have they been finalised.
- (2) How were these criteria made available for public consultation.
- (3) What feedback was received from the community.

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

- (1) A discussion paper on the future location of community gardens in the ACT is being finalised for public consultation by the Environment and Sustainable Development Directorate (ESDD) in close collaboration with the Territory and Municipal Services Directorate. The paper will discuss in detail the draft site selection criteria that I tabled on 28 June 2011 as part of my *Response to resolution of 9 March 2011 relating to community gardens*.
 - (2) The discussion paper is currently being finalised by ESDD for public consultation. During its preparation, informal consultation was undertaken with representatives of interested parties, including the Canberra Organic Growers Society and the University of Canberra.
 - (3) The discussion paper draws on both considerable research from comparative jurisdictions into possible governance responses to managing community gardens as an emergent issue and stakeholder consultation. At this stage, key comments from a number of organisations, including the Canberra Organic Growers Society, have been supportive.
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Questions without notice taken on notice**Crime—sexual assault**

Mr Corbell (*in reply to a question by Mrs Dunne on Wednesday, 22 February 2012*): The Report on Government Services (ROGS) 2012 is captured from the Australian Bureau of Statistics (ABS) 2009-2010 Crime Victimization survey. It should be noted that during this reporting period, the ACT recorded the highest reporting rate for sexual assault in the nation, which is a positive result.

More recent data contained in the soon to be released December 2011 Quarterly Criminal Justice Statistical Profile, reports that sexual assault offences in the ACT increased by 3% for this quarter (being 3 more offences than last quarter) and increased by 17% annually (being 52 more offences than December 2010). From year to year, data in the ACT can fluctuate. This can occur, for example, because of the reporting of a large number of sexual assaults committed by a single perpetrator.

The ROGS data must be regarded together with the national Survey of Community Satisfaction with Policing data that shows that, in the ACT, women's perception of safety in the community (both inside and outside the home) is consistently above the national average.

We know from the research that sexual assault is one of the most under reported crimes in Australia. The 2006 ABS People Safety Survey tells us that nationally, only 19% of victims of sexual assault report to police. The 2012 People Safety Survey is currently underway and for the first time, the sample size for the ACT will allow statistically significant observations to be drawn for this jurisdiction.

Under the *National Plan to Reduce Violence Against Women and their Children 2010-2022*, work is being undertaken to improve the legal response to domestic and family violence and sexual assault, and to promote responses from criminal justice agencies. One of the measures of success for these efforts will be '*an increase in the rate of women reporting domestic violence and sexual assault*'.

The ACT Prevention of Violence against Women and Children Strategy 2011-2017, *Our Responsibility — Ending Violence Against Women and Children*, has as one of its long term goals '*a reduction in the prevalence of violence against women and children*'. A primary objective under our responsibility is that women and children are safe because an anti-violence culture exists in the ACT. One of the ways this will be achieved is by promoting and supporting public discussions about violence against women and children. An increased rate of reporting of sexual assault and family violence will be the inevitable result of these public discussions.

The ACT Government also continues to improve service responses for people reporting sexual assault under the broad umbrella of the Sexual Assault Reform Program.

Roads—drug testing

Mr Corbell (*in reply to a supplementary question by Mr Hanson on Tuesday, 21 February 2012*): As announced to the media on Friday 17 February 2012, ACT Policing aims to conduct 750 tests in the 2011-2012 financial year, increasing to 2000 per year thereafter.

These figures are estimates only and reflect the fact that Random Roadside Drug Testing is still maturing as a capability.

ACTION bus service—Nightrider service

Ms Gallagher (*in reply to a supplementary question by Ms Le Couteur on Thursday, 23 February 2012*): The 2010-11 Nightrider advertising campaign had a budget of \$20,000. This campaign essentially focussed on print media.

Following an evaluation of the 2010-11 service, it was decided to increase the advertising budget for the 2011-12 Nightrider service to \$60,000. The resultant advertising campaign included television, radio and print media as well as prominent signage around bus interchanges and in various popular establishments. This increased investment, as well as the reduced fares, contributed to the significant increase in use of the Nightrider service.

Duffy—stormwater

Ms Gallagher (*in reply to a supplementary question by Mr Coe on Thursday, 23 February 2012*): I confirm that no stormwater improvement works are being progressed as a result of your representations. Stormwater construction works adjacent to Nudurr Drive associated with the Crace development have now been completed.

TAMS is currently undertaking a forward design of an upgrade to Nudurr Drive which includes stormwater improvements. These works will be considered for inclusion in a future capital works program.

Industrial relations—work safety

Mr Corbell (*in reply to a supplementary question by Ms Hunter on Tuesday, 6 December 2011*): The Work Safety Commissioner has advised me that neither he nor his staff have been denied access to the Enlarged Cotter Dam Project site.

Belconnen Way roadworks

Ms Gallagher (*in reply to a question and a supplementary question by Mr Smyth on Thursday, 23 February 2012*): An officer from TAMS has inspected the site and the defects were found to be not directly related to any of the works as mentioned. The defects are all maintenance related issues which have been made worse due to poor weather conditions. Roads ACT is prioritising ongoing maintenance activities and will address these defects as soon as practicable.

The works were completed within budget, within the program schedule completion time and in accordance with the appropriate standards.