



Debates

WEEKLY HANSARD
SEVENTH ASSEMBLY

Legislative Assembly for the ACT

3 MAY 2012

www.hansard.act.gov.au

Thursday, 3 May 2012

| | |
|--|------|
| Petition: Retirement villages—petition No 133..... | 1897 |
| Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2012 | 1897 |
| Standing and temporary orders—adoption | 1899 |
| Executive business—precedence | 1899 |
| Cotter Dam—enlargement | 1899 |
| Road Transport (General) Amendment Bill 2012 | 1904 |
| Energy Efficiency (Cost of Living) Improvement Bill 2012..... | 1911 |
| Papers..... | 1937 |
| Questions without notice: | |
| Canberra Hospital—emergency department data..... | 1937 |
| Youth—homelessness services..... | 1939 |
| Canberra Hospital—emergency department data..... | 1941 |
| Targeted assistance strategy | 1942 |
| Canberra Hospital—emergency department data..... | 1946 |
| Building—sustainable uses of materials..... | 1950 |
| University of Canberra and Canberra Institute of Technology | 1951 |
| Transport—infrastructure initiatives | 1953 |
| Education—excellence and enterprise policy..... | 1954 |
| Art—public | 1956 |
| Business—policy | 1959 |
| Personal explanation | 1962 |
| Canberra Hospital—emergency department data | 1966 |
| Papers..... | 1967 |
| Roads—William Hovell Drive | 1967 |
| Public Accounts—Standing Committee | 1969 |
| Financial Management Act—instruments | 1970 |
| Planning and Development Act 2007—schedule of leases | 1971 |
| Education—future (Matter of public importance) | 1972 |
| Land Rent Amendment Bill 2012 | 1988 |
| Duties Amendment Bill 2012 | 1997 |
| Adjournment: Crace Pets Party in the Park | 1997 |
| Schedules of amendments: | |
| Schedule 1: Energy Efficiency (Cost of Living) Improvement Bill 2012..... | 1999 |
| Schedule 2: Energy Efficiency (Cost of Living) Improvement Bill 2012 | 1999 |
| Answers to questions: | |
| Health Directorate—crisis assessment and treatment team (Question No 2098)..... | 2001 |
| Calvary Public Hospital—staff (Question No 2099)..... | 2002 |
| Alexander Maconochie Centre—incidents (Question No 2100)..... | 2002 |
| Alexander Maconochie Centre—drug testing (Question No 2101) | 2003 |
| ACTION bus service—bus shelters (Question No 2103) | 2004 |
| Transport—intermodal freight hub (Question No 2105)..... | 2005 |
| ACTION bus service—bike and ride facilities (Question No 2106)..... | 2006 |
| ACT public service—staff costs (Question No 2108)..... | 2007 |
| ACT public service—consultants (Question No 2109)..... | 2007 |
| Carers and volunteers (Question No 2111) | 2007 |

| | |
|---|------|
| Social welfare—respite care (Question No 2112)..... | 2009 |
| Housing—supported accommodation (Question No 2113) | 2009 |
| Chief Minister and Cabinet Directorate—printing costs (Question No 2116)..... | 2011 |
| Motor vehicles—abandoned (Question No 2117)..... | 2011 |
| Trees—removal (Question No 2118) | 2013 |
| Roads—fix my street online portal (Question No 2119)..... | 2013 |
| Roads—parking supply consultant (Question No 2120)..... | 2014 |
| ACTION bus service—MyWay card (Question No 2121) | 2015 |
| Roads—Hindmarsh Drive (Question No 2122) | 2016 |
| Roads—parking meter revenue (Question No 2123) | 2016 |
| Roads—parking ticket machines (Question No 2124)..... | 2018 |
| Roads—pot holes (Question No 2125)..... | 2021 |
| Government—printing costs (Question No 2126)..... | 2021 |
| Government—printing costs (Question No 2129)..... | 2022 |
| Housing ACT—properties (Question No 2130)..... | 2022 |
| Housing—market rents (Question No 2131)..... | 2023 |
| Government—printing costs (Question No 2132)..... | 2023 |
| Government—printing costs (Question No 2133)..... | 2024 |
| Health—education programs (Question No 2134)..... | 2024 |
| Courts—after hours bail support service (Question No 2135) | 2027 |
| Canberra Institute of Technology—student support services (Question No 2136)..... | 2027 |
| Schools—suspensions (Question No 2137) | 2027 |
| Government—fee determinations (Question No 2142)..... | 2028 |
| Finance—budget allocations (Question No 2143) | 2030 |
| Domestic Animal Services—costs (Question No 2146) | 2031 |
| ACTION bus service—bike racks (Question No 2147)..... | 2033 |
| Heritage—budget (Question No 2148)..... | 2033 |
| Labor Party—meetings (Question No 2150)..... | 2035 |
| Labor Party—meetings (Question No 2151)..... | 2035 |
| Labor Party—meetings (Question No 2152)..... | 2036 |
| Labor Party—meetings (Question No 2155)..... | 2037 |
| Labor Party—meetings (Question No 2156)..... | 2037 |
| Labor Party—meetings (Question No 2157)..... | 2038 |
| Labor Party—meetings (Question No 2158)..... | 2039 |
| ACT public service—expense claims (Question Nos 2160, 2161, 2162, 2163, 2164 and 2165) | 2039 |
| ACT public service—workplace investigations (Question No 2170) | 2040 |
| Marriage—equality (Question No 2172)..... | 2040 |
| Security—closed-circuit television (Question No 2173)..... | 2041 |
| WorkSafe ACT—Ombudsman’s recommendations (Question No 2174)..... | 2042 |
| Asbestos—management (Question No 2175) | 2043 |
| Asbestos—management (Question No 2176) | 2044 |
| Housing ACT—property repair costs (Question No 2181)..... | 2046 |
| Sport and recreation—tennis (Question No 2183) | 2046 |
| Motor vehicles—crashes (Question No 2184) | 2047 |
| Asbestos—management (Question No 2185) | 2048 |
| Parking—Civic (Question No 2187) | 2049 |

| | |
|---|------|
| Treasury Directorate—staff (Question No 2188) | 2051 |
| Labor Party—meetings (Question No 2190) | 2051 |
| Courts—unsafe convictions (Question No 2191) | 2052 |
| Horses—agistment (Question No 2193) | 2053 |
| Cemeteries—natural burials (Question No 2194) | 2054 |
| Territory and Municipal Services Directorate—community engagement (Question No 2195) | 2055 |
| Children—playground upgrades (Question No 2197) | 2055 |
| Planning—supermarkets (Question No 2199) | 2057 |
| Planning—strategy (Question No 2200) | 2058 |
| Planning—social impact assessment (Question No 2203) | 2058 |
| Roads—Hindmarsh Drive (Question No 2216) | 2059 |
| ACTION bus service—statistics (Question No 2218) | 2060 |
| Roads—pedestrian crossing warning lights (Question No 2219) | 2061 |
| Community Services Directorate—bad and doubtful debts (Question No 2221) | 2062 |
| Housing ACT—maintenance costs (Question No 2223) | 2062 |
| Housing ACT—community housing (Question No 2224) | 2062 |
| Questions without notice taken on notice: | |
| Animal welfare | 2065 |
| Trees—replacement | 2065 |
| Kambah shopping centre | 2066 |
| ACT public service—employees working from home | 2066 |
| ACT public service—employees working from home | 2067 |
| ACT public service—employees working from home | 2067 |
| Domestic Animal Services—sale of dogs | 2068 |
| Education—excellence and enterprise framework | 2068 |
| Healthy young people feasibility study | 2071 |

Thursday, 3 May 2012

The Assembly met at 10 am.

(Quorum formed.)

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

Petition

The following petition was lodged for presentation, by Mr Corbell, from 366 residents:

Retirement villages—petition No 133

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory.

This petition of residents in independent living accommodation in retirement villages in the Australian Capital Territory draws to the attention of the Assembly the fact that no legislation exists for the proper regulation of Retirement Villages in the Australian Capital Territory and furthermore: the Australian Capital Territory is the only Jurisdiction in Australia where this situation exists.

Your petitioners therefore request the Assembly to expedite the passage of the Private Member's Bill, "The Retirement Villages Bill 2011", through the ACT Legislative Assembly as soon as possible.

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

Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2012

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

Title read by Clerk.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (10.04): I move:

That this bill be agreed to in principle.

Mr Speaker, I am pleased today to table the Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2012.

The Aboriginal and Torres Strait Islander Elected Body Act 2008 is watershed legislation, not only for the ACT but for the rest of Australia. It was the important next step following our apology to Indigenous people in the ACT in the ongoing journey of reconciliation between Indigenous and non-Indigenous people.

In the four years since the Aboriginal and Torres Strait Islander Elected Body has been in existence, the elected body has achieved a number of significant milestones. The elected body was a major stakeholder and driving force in the creation of the ACT employment strategy for Aboriginal and Torres Strait Islander people, which was launched in 2011. This was part of the ACT government's commitment to provide Aboriginal and Torres Strait Islander peoples with the opportunity to participate fully in the ACT community through economic freedom. The Aboriginal and Torres Strait Islander Elected Body also championed the ACT Aboriginal and Torres Strait Islander justice agreement, a landmark example of citizen-centric government which was signed by the Attorney-General and the chair of the elected body on 28 September 2010.

The Aboriginal and Torres Strait Islander Elected Body continues to well represent the interests of its communities to ACT government.

Following the last Aboriginal and Torres Strait Islander Elected Body election, held between 11 April 2011 and 18 May 2011, the Office of Aboriginal and Torres Strait Islander Affairs received feedback from stakeholders which included recommendations for the growth and improvement of the Aboriginal and Torres Strait Islander Elected Body Act 2008 and the election process itself. The Aboriginal and Torres Strait Islander Elected Body met with ministers on 2 August 2011 and discussed amendments to the Aboriginal and Torres Strait Islander Elected Body Act 2008. These amendments recommended an increase in the campaign period available for nominees for positions on the elected body. Elected body members stated they wanted an opportunity to more fully engage with the Aboriginal and Torres Strait Islander communities during the campaign period in the ACT so they could share their message about why they should be elected but also listen to the message of community members on matters most important to them. We can all agree that this is the essence of what true community representation is.

Members of the ACT Aboriginal and Torres Strait Islander communities suggested that the Aboriginal and Torres Strait Islander Elected Body elections could be moved to capitalise on NAIDOC Week. It was suggested that as NAIDOC Week is a time when Aboriginal and Torres Strait Islander peoples come together to celebrate their culture and recognise the contributions of Indigenous Australians in various fields, it would be a good and fitting opportunity for Aboriginal and Torres Strait Islander peoples to think about who would best represent them and promote the issues which affect them. It was also recognised that capitalising on NAIDOC Week would be an efficient way of expending funding and resources used to promote the Aboriginal and Torres Strait Islander Elected Body, the elections and NAIDOC Week as well as more effectively reaching the target community and building sustained community engagement.

Elections ACT made recommendations on the effectiveness of the election process which further supported the recommendations we received from the elected body and the Aboriginal and Torres Strait Islander communities regarding capitalising on NAIDOC Week and increasing the campaign period for candidates. Elections ACT suggested that the increase of the campaign period for candidates would build engagement for the elections, allowing candidates more time to access the community and reach eligible electors who may otherwise not be exposed to the elections through existing communication channels. This same rationale supported the move to coincide the elected body elections with NAIDOC Week.

Elections ACT made a number of technical amendments which will bring clarity and consistency to the Aboriginal and Torres Strait Islander Elected Body Act 2008. The clarification of definitions and fine tuning of terminology have been recommended to ensure the act displays continual growth and relevance to the ACT context and the communities it serves.

In closing, Mr Speaker, let me say that I believe the changes recommended in the Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2012 recognise the expertise of our elected body and of our Aboriginal and Torres Strait Islander communities. These changes reflect the growth and improvement they want in the legislation, which is designed to help these communities achieve and succeed.

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

Standing and temporary orders—adoption

MS BRESNAN (Brindabella) (10.10): I move:

That temporary order 74 (Routine of Business) be adopted as a standing order of the Assembly.

I will speak very briefly to this. This is one of a number of temporary orders that have been made standing orders. This particular one relates to the start time of the Assembly, which is 10 am.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (10.11): The government will be supporting this proposed change to the standing orders.

Question resolved in the affirmative.

Executive business—precedence

Ordered that executive business be called on.

Cotter Dam—enlargement Statement by minister

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation), by leave: I am

providing this statement pursuant to parts 2(b) and (c) of the resolution passed by the Assembly on 21 March 2012 concerning the enlarged Cotter Dam project. I tabled on 27 March 2012 the information required under part 2(a) of the resolution. This included the revised cost estimate and completion schedule for the dam that the Actew board was expected to consider at its meeting on 4 March 2012. At that meeting, however, the board did not approve the revised cost estimate and completion schedule due to the impact of the major flood that took place in late February 2012. The board decided instead to defer any further consideration until an assessment had been made of the extent of the damage and the delay caused by the flood.

The Actew board has since approved the revised costs and schedule for the enlarged Cotter Dam project. The actual resolutions made by the Actew board are as follows:

On 24 April 2012 the Board:

Noted the outcomes of the review conducted in early 2012 of the project schedule and budget as presented to the Board at its meeting on 4 March 2012 are now accepted and incorporated in the recent review of the flood cost and schedule impact.

Noted as covered in the Board presentation in March 2012, the forecast project cost at completion, prior to the March 2012 flood, was \$396.9 million.

Noted the March flood is estimated to cost \$17 million, of which \$9.1 million is estimated to be recoverable from insurance, and \$7.8 million is the delay cost to be borne by ACTEW.

Noted the revised total project cost is \$413.8 million, of which \$9.1 million is estimated to be recoverable from insurance, bringing the final budget estimate to \$404.7 million.

Noted that should the insurance payout vary from the \$9.1million estimate, ACTEW shall either benefit from any additional insurance recovery, or be required to contribute an additional sum to the total cost of the insurance claim for the flood.

Noted the revised project completion date is April 2013.

Approved a revised project budget of \$404.7 million to cover the full flood cost impact, which is net of an estimated \$9.1 million anticipated to be recovered through insurance.

It is worth noting that the original approved total project budget for the dam was \$363 million and was subjected to several independent reviews, all of which confirmed that this was a reasonable price estimate. In particular, on 30 June 2010, the Independent Competition and Regulatory Commission stated:

The Commission now confirms its conclusions that the revised costs of the ECD represent a realistic and efficient cost estimate of the project and that the alliance arrangements, including the contractual arrangements with regard to risk sharing and the potential for further cost increases, are in accord with industry standards and represent a fair outcome for the ACT community

At the time Actew used the most up-to-date modelling of future weather predictions from several sources, including the CSIRO, the Bureau of Meteorology and the Murray Darling Basin Authority. Since then, however, as we are all aware, there have been two successive years of record rainfall, including a one-in-100-year flood. Although these events have led to an increase in the total project cost for the dam, that could not have been reasonably predicted before the work to construct the dam began.

The enlarged Cotter Dam project provides the ACT with water security for generations to come. Therefore, the government remains committed to the completion of the enlarged Cotter Dam, which will enable Actew to make better use of our most reliable water catchment.

As stated previously by the government, the Murrumbidgee to Googong water transfer project and the Tantangara transfer project will diversify our water supply by providing water that is not dependent on rainfall in our catchments. Collectively, these three projects are necessary to overcome the long-term impacts of climate change and allow the community to cope with longer or extreme droughts without having to resort to stringent water restrictions.

Finally, the government notes the revised schedule and budget approved by the Actew board provides for pessimistic weather forecasts, and the government is confident the total revised project budget remains reasonable.

MRS DUNNE (Ginninderra) by leave: I thank the minister for tabling this information and the news, already in the public domain, that the final cost of the dam will now be close to \$405 million. I note the minister says on behalf of the government that the government remains confident that this final figure of \$404.7 million is reasonable. I wonder whether the minister and the government will stake their reputations on that as a final cost. Those words have been used in the past as to how robust the previous costing of \$363 million was.

The Canberra Liberals remain committed to the completion of this project as an essential part of maintaining the ACT's water security. It has been our stated view since February 2004 that a project such as this and others were necessary to maintain our water security, and we do not resile from that. I have seen some commentary in the media that the ACT should cut its losses and get out of the dam. I do not agree with those sentiments. It would be foolish of us to withdraw from this project now.

The Canberra Liberals remain concerned about the increases in the cost of the dam and the lack of scrutiny and lack of oversight by the government, which likes to keep at arm's length from this disastrous cost blow-out. The Canberra Liberals hold to the view that if the decision had been made sooner, we would not have been confronted with these outrageous cost blow-outs. The decision should have been made in 2004-05 to build this dam. If that had been the case, the dam would now have been completed and filled. It would have been completed at a time when adverse weather would not have impacted on the cost of the build. It would also have been completed before the time when there were large blow-outs in the costs of building materials. We have been told on a number of occasions by successive CEOs of Actew that there

have been large blow-outs in the costs of building materials, such as steel, concrete and pipes, all of these contributing to the cost blow-out.

I hope this is the last we will see of cost increases. The people of Canberra will bear these costs. I have noted commentary in the media that Actew is looking at the ways in which it might absorb these costs. Irrespective of how these costs are absorbed, the people who will finally pay for this—whether it is by way of increased water rates or as a result of increased tax because of decreased dividends from Actew—are the people of the ACT. They will foot this bill for a long time into the future.

We have already seen a cost increase of \$100 as a result of the water security infrastructure. The chief executive of Actew in September 2009 estimated there would be another \$120 on top of that. Our conservative estimates are that there is probably another \$20 or \$30 on top of that as a result of these blow-outs. So the people of the ACT will be paying on their water rates or elsewhere upwards of \$250 a year for the next hundred years to pay for this dam. And those cost blow-outs can be directed solely and completely to the Labor government, who prevaricated for the best part of four years on a decision that everyone knew was patently obvious.

The previous Chief Minister's approach to this was, "If the Liberal Party is suggesting a dam, we have to oppose it at all cost." He is on the record as saying, "We may never need to build a dam again." Now it is being built, and it is being built at the wrong time because of those delays. Those delays have caused this cost blow-out. This cost blow-out is sheeted home solely and completely to the mismanagement and the incapacity of the Labor Party to make important decisions for the security of the ACT. The people of the ACT know this and will remember it.

MR SESELJA (Molonglo—Leader of the Opposition), by leave: We cannot let this moment pass without commenting on just what a monumental debacle this has been for the people of Canberra. The government would like to write this off as just one of those things that happens from time to time—projects blow out, costs go up. This is not a minor cost. In business, people plan, and when they do their major works sometimes the costs blow out a little bit. But you would be hard pressed to find any business that would still be in business when their costs blow out by 200 or 300 per cent, as we have seen with this dam project.

It started as a \$120 million project. Then it was a \$145 million project and a \$250 million project. Then we were told the final, absolute, never go above, absolute highest ever was going to be \$363 million, and we are already looking at another \$40 million above that. We are actually looking at another 10 per cent of the blow-out that was already a couple of hundred per cent, and that is the extraordinary thing about this. We are not talking about just a minor error.

If there had been maybe a 10 per cent blow-out overall in the initial costs, the community might be annoyed, but they might say, "Well, look, sometimes these things happen." But this has been a blow-out of \$285 million. The blow-out itself, the additional costs from the original estimates, are actually more than any other capital project the government has delivered. The blow-out is bigger than anything that has ever been delivered by this ACT government.

This will come to define ACT Labor's time in office. It covers two of the things that will define this government's time in office. One is that they simply cannot build things. They cannot build things anywhere near on time and anywhere near on budget—whether that is the prison, whether that is the Gungahlin Drive extension, or whether that is the numerous other projects on which they have spent millions and then not delivered and pulled away from, like the government office building or the Belconnen to Civic busway. This government has made an art form of wasting our money because it cannot control project costs and because it cannot deliver projects on time and on budget.

The other thing this government will be defined by here today is imposing additional cost burdens on Canberra families. This government has become a master at passing on costs to Canberra families and adding extra burdens. This \$285 million cost blow-out will mean hundreds of dollars extra for Canberra families on their water bills. Canberrans are paying triple for water now than they were when this government came to office. It has gone up by 200 per cent. In that time, inflation has gone up by around 35 per cent. Wage inflation has been around 45 per cent, yet this government has seen water bills go up by 200 per cent. Now, as a result of this cost blow-out, Canberra families will once again be forced to pay more for the essentials of life no less. For the essentials of life we continue to be forced to pay more.

There are a lot of outstanding questions. Mrs Dunne has outlined just how badly the government has handled this in terms of the timing. But there are additional questions as to their oversight and how they have actually controlled costs along the way. It is extraordinary to me that even before the floods, our absolute highest cost ever of \$363 million had already been breached. What has happened with the management of this project and the management of costs? We will need further answers and much more detail than this government has been prepared to give to satisfy ourselves that there has not been a monumental waste of money in aspects of this project and how it has been managed.

Canberrans deserve much better than this. They deserve answers on this. They certainly deserve answers when they are going to be forced for generations to pay hundreds of dollars extra per year because of this government's incompetence. We need those answers. We need far more detail than is being given. We need to know, line by line. We cannot trust this government in their spending programs. They have shown themselves to be untrustworthy, and in coming weeks we will be pushing for more detail than this government have been prepared to give. If they are not prepared to give that, it will simply demonstrate that they do not believe their management of this project stacks up, that they do not believe they can actually defend the way they have managed this project.

The community deserves more answers than it is getting at the moment. At the moment, all they know is they are going to be paying a lot more because Labor cannot manage. We know that. Now it is time we actually got to the bottom of just how badly this project has been managed from start to finish and why Canberrans will have to pay so much more for our water than would otherwise have been the case.

Road Transport (General) Amendment Bill 2012

Debate resumed from 29 March 2012, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR COE (Ginninderra) (10.28): The opposition will be supporting the Road Transport (General) Amendment Bill 2012. However, in doing so, I will flag some issues.

The intention of the bill, as far as we can see, is to refine the process relating to the submission of statutory declarations on issued infringements and thus reduce the number of false and incomplete statutory declarations that are currently being completed. A rough estimation provided by the directorate is that five to 10 per cent of all statutory declarations received by the road service authority are fraudulent. Often these declarations are incomplete, whether deliberately or otherwise, and equally as often some declarations are completely falsified.

While there is a loophole available for offenders to avoid losing any demerit points off their drivers licence, we can be certain that this loophole will be exploited. In order to curb this practice the bill includes amendments that include that the responsible person for a vehicle take all responsible steps to identify and locate the person who is in control of the vehicle at the time of the infringement. The concept of all reasonable steps is defined in the bill and includes completing a new form of the declaration in a prescribed form and the ability for the authority to request further information from the parties as required.

There is an element of the bill that does hold some concern for the opposition, and that is the new requirement for corporations. Under new provisions in this bill corporations will be compelled to identify any driver involved in an offence. If the corporation fails on two or more occasions to identify the responsible driver, the penalty will include registration restrictions for the vehicle involved.

The explanatory statement states that the bill also contains new provisions to encourage corporations to identify the drivers of vehicles involved in offences that carry demerit points, to enable demerit points for those offences to be recorded against the driver licence record of the person who actually committed the offence. Corporations that fail on two or more occasions to take all responsible steps to assist the administering authority to identify the driver of the vehicle registered to the corporation that is involved in an offence will be advised that registration sanctions will be applied to the corporation's vehicle, or another vehicle owned by the corporation if the corporation has disposed of its interest in the vehicle involved in the relevant offence. This provision will have the greatest impact on corporations with medium to large fleets. Currently, ACT legislation requires corporations to pay five times the penalty for an individual if they do not identify the driver. The majority of corporations choose this option.

Running a business, and often the administration of running a business, creates more headaches than do the actual production of a good or the delivery of a service. Operating a fleet can be difficult, and I hope enforcing agencies are aware and do take reasonable steps. An example I have used in the past is of a ute on a construction site being used by various builders and labourers on any given day, perhaps go to a hardware store or go to the depot; it is very difficult to keep a log of such uses. Although it is required that a log be kept, the reality is that it is going to be difficult to keep a log of such instances and I hope the JACS directorate is aware of just how difficult that can be in some situations.

In summary, while we do have some reservations about the impact on corporations, we broadly support the intent of the amendments contained in the legislation and as such we will be supporting the bill today.

MS BRESNAN (Brindabella) (10.32): The Greens will support the Road Transport (General) Amendment Bill. It makes two key changes to the enforcement of infringement notices for offences under the road transport legislation. I would like to thank Mr Corbell's office and the officials from the directorate for the helpful briefings they provided to my office on this bill.

The first change concerns the situation where a person responsible for a vehicle declares they were not the driver at the time an offence was committed. The changes in this bill oblige such a person to take all reasonable steps to assist the administering authority to identify and locate the person who was in possession or control of the vehicle at the time of the offence. The intention is to prevent people making false declarations about the identity of the driver thereby allowing the person who committed the offence to avoid the penalty.

I am informed by the department that the expectation is that this would primarily apply to traffic camera offences, given that those are the offences where the identity of the driver is unknown. The ACT Traffic Camera Office suspects that five per cent to 10 per cent of statutory declarations in these matters are false. I also understand that there have been a number of false declarations made by taxi drivers, and these have been proven because the drivers' identities can be traced through network logs of drivers.

This appears to be a reasonable requirement designed to stop people using the declaration system to escape responsibility for traffic offences thereby also reducing the efficacy of our traffic laws and decreasing safety on our roads.

The requirement to take reasonable steps to identify the driver does not appear to be onerous. From my discussions with the directorate I understand that in practice the person will complete an infringement notice declaration and an approved form. The person will need to respond in a timely fashion, within 14 days. This is to overcome a problem that apparently occurs already where a person makes an incomplete or inconsistent statutory declaration and they are contacted to provide more information but do not respond. This provision provides a legal basis for rejecting declarations that are not properly completed.

The second key amendment in this bill is intended to persuade corporations to identify the drivers of vehicles involved in offences. Apparently many corporations fail to identify the drivers that were using their vehicles and instead choose to pay the corporate penalty rate of five times the individual penalty. However, this means that the demerit points are not allocated to the actual driver. I agree with the government that this is unacceptable. The department informed me that on average there are 1,500 speeding and red light offences each year where corporations fail to identify the driver, which is a surprisingly high amount.

Under the changes proposed, if a corporation fails on two or more occasions to take all reasonable steps to assist the administering authority to identify the driver of a vehicle that is involved in an offence and that is registered to the corporation, sanctions will be applied to the corporation's vehicle. The sanction is suspension of the registration of the vehicle for a period of up to six months.

I think this is an appropriate penalty and I note that the legislation also allows for the issuing of warning notices and for a right of review. I expect it will lead to a significantly greater number of corporations declaring the identity of drivers. The start date for these provisions is in two years time, which I imagine will provide the necessary time to accommodate the scheme.

There are also amendments in this bill relating to applications for an extension of time to pay a traffic infringement. The bill will allow for applications for additional time to respond to an infringement notice to be made "out of time". Under the current system, if a person misses the deadline to pay, their licence is automatically suspended. This amendment will at least provide people the opportunity to apply for an extension of time, which may avoid the loss of their licence.

The Greens are happy to support this amendment. It is an improvement on the current system. But I do want to make a few points about it. The key point is that this amendment does only a fraction of what needs to occur to improve flexibility in the traffic infringement system.

As members will know, I tabled a bill in February this year to establish a more appropriate response to the problem of inflexibility in the traffic infringement system. The Greens' bill makes several changes to ensure that the ACT's system of traffic infringement administration takes appropriate account of the circumstances of disadvantaged and vulnerable people. It recognises the potentially devastating impact that a traffic fine and licence suspension due to a failure to pay a fine can have on a person's life. The current system is not dealing with this appropriately.

After this minor government amendment is passed, the system will be improved but will still not be dealing with the entirety of the issue. The Greens' bill sets out a scheme for payments by instalments. It makes this option available automatically to people with a Centrelink healthcare card or pensioner concession card or a Department of Veterans' Affairs pensioner concession card or gold card. This option is available in other jurisdictions but not currently in the ACT.

The Greens' bill also would allow people in financial hardship or with special circumstances to apply to the authority to pay off the fine by undertaking community work or a social development program. These programs would be rehabilitative and beneficial to the community. The Greens' bill would allow people to apply to the authority to have a fine waived. This is for people in special circumstances, such as disability or homelessness, who cannot afford to pay the fine and are unlikely to ever be able to pay the fine and who are not suitable to undertake community work or a social development program.

The Greens' bill has received wide support from the community and ACT community groups who work with people involved in the traffic fine system every day. The proposals in the Greens' bill also have the support of the targeted assistance panel. Its report recommends the introduction of options for payment by instalment, waiver or write-off, and community service and/or personal development in lieu of fees and fines.

I intend to bring my bill back for debate in the Assembly next week and I am very hopeful of support from both parties. However, because the legislation we are debating at this moment changes the same act as my bill amends, I have needed to make technical updates to my bill and am doing this in good faith to allow the passage of the government's bill before us today.

To sum up, this is a bill the Greens will support. But on the issue of infringement payment flexibility it needs to go much further and I expect that other parties will support my bill next week to achieve this.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (10.39): The ACT has been extremely fortunate to record just one road fatality in the last 12 months, but this fatality tragically occurred on the past weekend. I think it is important that I offer my sympathies to the family and friends of Mr Stewart Orme, who died riding his motorcycle on the weekend. It was a tragic event.

Despite our good record, serious crashes continue to occur. Drivers continue to speed, run red lights, drive without a wearing seat belt, and drive while texting or talking on their mobile phone. Police are continuing to catch drivers who are seriously affected by alcohol or drugs, and regrettably some of these drivers have young children as passengers. Police and road transport agencies are continuing to issue a high number of infringement notices for offences against the road transport laws, including for road safety offences that attract demerit points, such as speeding and red light offences.

The existing scheme is based on an enforcement model whose origins date back nearly 30 years. Since the infringement notice model was first introduced, there have been significant advances in technology for processing infringement notices and major changes to the broader legal framework in the territory.

These days, the processing of an infringement notice under the road transport laws is fully integrated into the rego.act system, which also manages the vehicle registration,

demerit points and drivers licence databases. Apart from steps such as adjudicating images from traffic cameras, and assessing applications for withdrawal, granting extensions of time and assessing infringement notice declarations, all of which must be undertaken by trained and appropriately authorised staff, the system is mostly automated.

The legal framework in which the original model was developed has also changed significantly, not least with the adoption of the uniform Evidence Act, the Criminal Code and the Human Rights Act. It has become increasingly apparent in recent years that the existing scheme is not working optimally. In particular, it is apparent that the scheme is not adequately supporting the demerit point scheme.

There are two main issues of concern. Firstly, there is the capacity for the use of false or misleading infringement notice declarations to enable a driver to evade liability for demerit points. Secondly, there is the failure by corporations to identify the drivers of corporately registered vehicles involved in demerit point offences. The outcome of both practices is the same: the driver who is responsible for a demerit points offence is able to avoid having those points recorded against his or her licence, and the integrity of the demerit points scheme is compromised as a result.

This bill therefore will provide a stronger platform for the enforcement of the road transport legislation than the existing infringement notice scheme, to complement the legislative reforms that have already been undertaken over the last three years.

The misuse of infringement notice declarations to avoid demerit points is not unique to the territory. New South Wales has identified similar problems. Just a few weeks ago, in April this year, New South Wales passed legislation intended to discourage corporations from failing to identify the drivers of vehicles involved in camera-detected offences. The New South Wales law increases the infringement notice penalty payable by corporations for camera-detected offences to five times the penalty amount that applies to individuals.

The same approach of applying a penalty amount that is five times the individual rate to a corporation has been practised in the ACT for many years. It existed under the former Motor Traffic Act but was inadvertently repealed in 2000 with the replacement of that act by the road transport legislation. It was subsequently reinstated in 2003 through amendments to the Road Transport (Offences) Regulation. The explanatory statement for those amendments in 2003 stated:

The corporate multiplier also provides an incentive for corporations to identify the driver responsible for the offence, thereby allowing the correct allocation of demerit points following camera detected offences.

The ACT's experience is that notwithstanding the application of higher corporate penalties, on more than 1,500 occasions each year in recent years corporations have elected to pay the increased penalty rather than identify the driver involved in a demerit points offence.

Clearly, for these corporations a greater incentive is required. This bill therefore includes vehicle-based sanctions, which will apply where a corporation fails on more than one occasion to take all reasonable steps to assist the administering authority to identify and locate the driver of a demerit points offence involving a vehicle registered to that corporation.

The amendments will have the effect of suspending the right of anybody to drive that vehicle while the suspension remains in force. The suspension will be lifted if the corporation provides the relevant information, or after six months, whichever happens first.

These amendments will have a delayed commencement to enable the necessary system changes to be made and for an awareness campaign to run.

The recently passed amendments in New South Wales include provisions that enable the authorities, including prosecutors, to obtain more detailed information from people who complete infringement notice declarations.

The territory's bill also recognises the need to clarify the administering authority's powers to obtain information from people who make declarations. It explains the requirements for making a valid infringement notice declaration and explains how the responsible person for a vehicle discharges his or her obligation to "take all reasonable steps" to assist the authority to identify and locate the person who was in possession or control of the vehicle when the offence was committed.

The obligation to take all reasonable steps is a mechanism for promoting the completion of statutory declarations for infringement notice offences in a way that is honest, timely and accurate. It is intended to secure the active cooperation of the responsible person for a registered vehicle with the administering authority. The responsible person is required not only to fill out all the required details in the approved form, but to do so in a way that can be reasonably understood. The responsible person must also respond to any further correspondence from the administering authority within 14 days, for example where the authority needs to clarify a matter raised in a declaration.

If the responsible person for a vehicle makes an infringement notice declaration that is not accepted, or elects not to make a declaration but disputes liability in court on the basis that another person was in possession or control of the vehicle when the offence was alleged to have been committed, there is a rebuttable presumption that the responsible person was in fact in possession or control of the vehicle at the time. The responsible person has a legal onus of rebutting this presumption, on the basis that he or she is best placed to adduce evidence about the persons who had access to the vehicle and their own whereabouts at the time of the alleged offence.

The government considers that this presumption is inherently reasonable. If the responsible person has chosen to register themselves as the operator of a vehicle, the effect is that this person is already on the public record as the person who owns or uses the vehicle.

The bill makes a range of technical amendments to the processes for issuing and serving infringement notices. In line with current drafting practice, most of the detail is relocated from the act to the regulations. Where possible, the drafting of the provisions has been simplified or broken up into discrete concepts, to assist readers and others who will use the law.

The amendments made by the bill include the omission of provisions that are not consistent with the territory's current legal framework for human rights, criminal law and evidence. This includes provisions relating to deemed service on multiple parties, provisions relating to the use of statutory declarations in subsequent court proceedings and provisions that provide for someone to be held liable for an offence even though someone else committed it.

New provisions in this bill include expanded review rights in relation to applications for withdrawal and applications for extension of time to do certain things in response to an infringement notice.

Significantly, the bill includes increased flexibility around time to pay arrangements. At present, an application for an extension of time to pay must be made within 28 days of receiving an infringement notice or the subsequent reminder. There is currently no scope for "out of time" applications for extensions of time to pay, even where there may be extenuating circumstances or extreme financial hardship will result.

Last year the Chief Minister established an expert panel to consider options to assist Canberrans struggling to meet living costs. The expert panel examined fees, fines and penalties as part of its review. The amendment in new section 29 is an initial response to the panel's review recommendations that can be implemented quickly without requiring system changes to the rego.act database.

New section 29, and the associated regulations made under that section, will enable applications for additional time to pay to be "out of time". The approval of applications will be subject to ministerial guidelines, in the form of a disallowable instrument.

This bill will reform the infringement notice system for the road transport law to provide a more coherent and responsive platform for enforcing the law. While retaining the most effective elements of the current scheme, it includes new approaches to require cooperation from corporations and to reduce the scope for fraudulent statutory declarations from vehicle owners and users, in a way that is fully consistent with our human rights framework and with the established principles of criminal law and evidence. I thank members for their support of the bill and commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Energy Efficiency (Cost of Living) Improvement Bill 2012

Debate resumed from 22 March 2012, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR RATTENBURY (Molonglo) (10.51): The Greens have been waiting for this legislation for several years now. It is clear that strong approaches to energy efficiency are imperative in any successful climate strategy. The modelling behind weathering the change 2 is unequivocal in this regard, as are energy experts worldwide who agree that energy efficiency is the biggest and best option for cheaply reducing emissions and dealing with rising energy bills. In avoiding runaway climate change, it is clear that we cannot rely upon mechanisms such as the carbon price alone. The need for complementary measures such as energy efficiency are as relevant as ever and, I think, well recognised in the design of these schemes.

Whilst there are plans for a national energy efficiency retailer obligation scheme which will replace existing state-based schemes, a national scheme will not be implemented for at least another two to three years, during which time significant abatement could be delivered should the ACT adopt its own scheme as the Assembly is proposing to do today. Given our 40 per cent target, and in light of rising energy prices and the risk that poses to our community, it makes sense to get on with this job now.

There are a number of strengths in this scheme and I want to touch on a few of those. The Greens support the development of a market-based approach to energy efficiency. There are currently multiple barriers to the uptake of cost-effective energy efficiency measures and schemes such as this can go a long way towards overcoming these barriers. We note that a range of other jurisdictions, both nationally and internationally, already have retailer obligation schemes which have delivered positive outcomes, including marked emissions reductions, market expansion and net economic benefits to consumers.

The benefit to consumers, both residential and non-residential, is evident in the modelling and is also, frankly, just common sense. The most important factor, in my mind, is that this scheme is a smart investment. It begins to deliver quickly and the benefits last in the long run. In the first three years of the scheme the modelling and the regulatory impact statement indicate that the expected cost of the scheme for a household, on average, will be \$87, with average annual savings of \$392—a net saving of \$305.

What particularly exemplifies the advantage of a scheme like this is that the costs stop after three years but the benefits continue to rise, with an estimated total lifetime saving of \$2,140 on average. It is really typical of the sorts of ideas that the Greens

support. We recognise that at times you have to make an up-front investment in order to deliver long-term benefits and real cost-of-living savings in the long run that will actually make a difference to households. It is not simply a case of saying, “It’s terrible that the price of electricity is going up.” It is about encapsulating the idea that the cheapest unit of energy is the one that you never buy.

Another key strength of the scheme is the focus on vulnerable households. As the regulatory impact statement for this bill notes, low income households spend a much greater proportion of their budget, nearly double, on energy than wealthier households do. The opportunity for these households to invest in energy efficiency measures is also reduced, compounding the issue. In light of this, the specification of priority households in the legislation is one of its real strengths.

Given that 20 per cent of ACT residents are defined to be low income, the requirement for suppliers to focus 25 per cent of their energy efficiency activities upon such households ensures that they will become net beneficiaries under the scheme. The strong penalties for suppliers’ failing to meet the priority household target, which are additional to the penalties attached to meeting the scheme’s overall energy reduction targets, indicates that the scheme will lead to a marked improvement in the cost of living for the ACT’s most vulnerable households—not to mention, of course, an improvement in the quality of life. That is an issue I have discussed before in another debate in this place around rental housing standards.

Following on from that, members will recall that both the Greens and I have continuing concerns about assisting those who live in rental properties. We believe this legislation will help address some of the split incentive issues that I have raised in this place before. Certainly, the experience in South Australia has been that renters participate in this scheme just as much as homeowners do. Given that all that is required for most renters to participate is the permission of their landlord—and since the changes are beneficial to the property and cost-neutral for the landlord—there is little disincentive for the landlord to participate. In fact, under the South Australian scheme the number of participating renters has actually increased in recent years, as have their reported energy and bill savings.

In relation to the scheme’s contribution to reducing ACT emissions, we understand it is forecast to deliver cuts of 6.2 per cent in stationary emissions by 2015, with ongoing annual reductions of 4.7 per cent—even if the scheme ceases.

In assessing the scheme there were, of course, questions that arose for us. We took those concerns up with the Environment and Sustainable Development Directorate. We had a good discussion with them and it certainly cleared up and clarified a number of the issues. I would like to reflect on a few of those as I think it is important, in the context of debating this legislation, to make clear what some of those concerns were and also the answers to some of those questions.

Our first concern related to the inclusion of the definition of eligible activities, particularly the inclusion of appliances such as whitegoods, televisions, light bulbs and power boards. We are aware that the inclusion of such measures has created problems in other jurisdictions which have already implemented these schemes,

especially where there is no assurance that they will be installed—we have seen examples where light bulbs or energy saving power boards were handed out and they simply got put in a cupboard or were not used—or, alternatively, the appliances they are replacing will be retired, thereby creating uncertainty around whether the predicted savings of energy are actually delivered and, in the case of non-retirement of appliances, potentially increasing emissions if the consumer ends up with a second fridge or television.

There is also the issue of deadweight around the inclusion of low-cost measures such as these. This is where free market forces—for example, product labelling and existing energy efficiency standards—already exist to encourage the uptake of energy efficient products and, therefore, the energy savings delivered by the scheme are not additional.

In discussing these concerns with the directorate, it became apparent that the design of the energy savings targets and the assignment of low abatement scores to appliance-based activities will preclude suppliers from focusing their efforts upon such measures. To do so would risk them not meeting their targets. The requirement for annual review of the scheme also enables the targets to be revised in order to counter any over-reliance upon these what might be considered to be softer abatement measures.

We also were keen to ensure that abatement methodologies are rigorous so that the integrity of the scheme could be assured. The abatement scores for the measures are based on extensive modelling undertaken for Victoria's retailer obligation scheme and the figures have been remodelled for the ACT's climate. The success of the Victorian scheme provides us with greater confidence in the scoring. As for the option for suppliers to develop their own methodology, which is contemplated under the legislation, the high cost involved in doing so would preclude most from attempting this. However, where new methodologies are proposed, the scheme requires that they be comprehensively assessed by the scheme administrator, thereby reducing the risk of inconsistencies and again ensuring the integrity of the scheme.

The next issue we were interested in was the exclusion of energy audits. Our initial view was that the exclusion of energy auditing from the scheme may be unwise as to have it included could help to prioritise the uptake of eligible activities and avoid over-promotion of low-abatement measures. Auditing has certainly been a core requirement of the South Australian scheme on which our proposed scheme is modelled.

Our discussions with the directorate and our further consideration and research around the South Australian scheme revealed that the inclusion of this requirement in South Australia has been received poorly by industry, who find it overly burdensome. In some ways it counteracted the notion of the market-based model, where the most efficient and cost-effective measures were pursued. Given that the audit itself does not guarantee energy savings and given that research indicates retailers will still use audits regardless of whether it is a scheme requirement, the rationale for excluding this requirement is one that we can accept.

The next issue we raised was the scheme's lifespan. The regulatory impact statement covers the first three years of the scheme only. Our concern was that after this period of time the scheme may be stalled by review processes. Our discussions with the directorate revealed that this time frame was chosen to allow flexibility for the scheme to merge with a national scheme, which, if successful, would come into effect within the next three years. A defined time frame was set to provide certainty to industry and to allow for accurate cost-benefit modelling. The requirement that the scheme be reviewed annually will also reduce the risk of problems accruing, which could prompt calls for its closure at the end of the three-year period.

It was also made clear to us that the review at the end of the three years will not be to decide upon the scheme's continuation but rather to assess its performance and to identify any changes required to streamline its operation. Given the three-year time frame and that ongoing review process, we think that there is plenty of scope to ensure that we do not suddenly get to the end of three years and come to a grinding halt while we have to undertake a 12-month review. These things do seem to take time. Certainly, one thing I have learned in this place is that things never happen as fast as perhaps you might logically expect. We think that there is sufficient scale in this program to ensure that that does not happen.

We considered the issue of the scheme's starting date, 1 January 2013, and whether that allowed sufficient time for industry in the ACT to adjust, particularly with the introduction of the carbon price and the national energy customer framework from 1 July this year. We considered whether there was too much of a work program there and whether perhaps having insufficient time to prepare would see the retailers end up having to rely on the promotion of low-abatement activities such as whitegoods and power boards as opposed to some of the more substantive measures such as insulation, draught sealing and double glazing, which will deliver deeper and longer term energy reductions.

We did, however, in considering this, take into account that all suppliers will have the final legislation and eligible activities by June, giving them six months to prepare. We also took into account the fact that the energy savings target to be met by the end of the scheme's first year in 2013 is half of what was required in the second year of the scheme, allowing for the phase-in challenges and, I guess, a ramping up of systems and processes to ensure that the burden on retailers in the first year is one that should be manageable.

The next issue we were concerned about was ensuring that the reductions are delivered within the ACT. We were keen to ensure that the scheme took account of the issue of cross-jurisdictional purchase of eligible products—for example to ensure that a Queanbeyan resident purchasing an energy efficient fridge in Fyshwick would not be eligible to participate. The scheme has been designed so that suppliers cannot claim any credits for abatement outside the ACT. Any consumer purchasing an eligible measure will have to be a customer of the retailer so their residential address will be captured, thereby ensuring that interstate households are not eligible to participate.

The last area that I was particularly focused on related to the scheme administrators. I felt that in the information provided thus far there was a lack of detail about the scheme administrators, specifically who they would be, how and when their appointment would be made and how they would be funded. From looking at the regulatory impact statement in more detail and from the discussions with the department, we understand that \$1.8 million in revenue from the scheme has been earmarked over the period of the program for administration costs, which will cover annual costs of \$495,000 for administration of the scheme.

I am somewhat frustrated that the minister has not finalised who the administrators will be or when they will be announced. Given that the administrator is the make or break of the scheme and that these crucial details remain to be determined, I invite the minister to use his closing remarks in the debate today to elaborate on the details of how this scheme will operate. I understand that it will be part of the directorate and that specific staff will be allocated. I would welcome the minister confirming that in his remarks today.

Having examined all of these questions and satisfied ourselves that issues that we thought about have been addressed in the design of the scheme, or have the capability to be addressed by the administrator, the one outstanding issue we have with the bill is that the legislation currently enables the minister to determine any eligible activity by notifiable instrument, giving the Assembly no power to review the validity of the minister's determination. This was also an issue of concern raised in the scrutiny report and it is somewhat of a paradox given the section heading under which this provision falls—namely, “targets and important concepts”. It is our view that the determination of an important concept should not be assigned exclusively to the minister. Consequently, I will be moving an amendment in the detail stage that will seek to change this from a notifiable instrument to a disallowable instrument. I will speak more to that at the time.

In conclusion, we support the introduction of this legislation and welcome the energy reductions it promises to deliver. The initiative provides a platform for energy retailers to evolve from being just about selling as much electricity as they can to providing a complete energy service, therefore becoming powerful players in the broader climate solution.

The energy reductions that the scheme promises to deliver will in the long term help to insulate Canberrans from the upward spiralling of energy prices. By countering the existing market failures which inhibit greater uptake of energy efficiency measures, the scheme will also help to stimulate the expansion of the ACT's clean energy economy. Importantly, it will deliver a considerable contribution towards the achievement of our 40 per cent greenhouse gas reduction targets. The Greens look forward to working with the government, industry and consumers to implement this important and much-awaited piece of legislation.

MR SESELJA (Molonglo—Leader of the Opposition) (11.07): The Canberra Liberals are committed to addressing cost of living issues in our city. We are the only party with the desire and the policies to do so. I am always open to ideas that aim to

address such issues for Canberra residents. I think the title of Mr Corbell's bill is poignant as it explicitly acknowledges the importance of cost of living issues for Canberrans.

Just last week, CommSec's economic report confirmed that Canberrans experienced the lowest wage growth but the highest increase in consumer prices in the country. In the whole of Australia, the ACT and South Australia were the only jurisdictions to have wage growths that were not keeping up with consumer prices.

It perhaps should not come as any surprise then that in last Sunday's *Canberra Times* there was an article "Families hit breaking point". Looking at the latest Insolvency and Trustee Service Australia figures, the number of Canberra residents forced into debt agreements has increased by almost 104 per cent, not to mention the fact that for the first three months of this year the ACT had the worst rates of insolvency in the country.

Then again, we are living in a city where, over the last 10 or so years, property rates have increased by 75 per cent, outmatching CPI growth by 31 per cent. In many suburbs, rates have more than doubled since Labor came to office. Rents have increased by approximately 68 per cent, outpacing CPI growth by 25 per cent. Water prices have increased by over 200 per cent. Water is now triple the price it was when Labor came to office. Electricity prices have increased by 75 per cent, outmatching CPI by approximately 31 per cent.

On the topic of electricity prices, given this government's support for their federal counterpart's carbon tax, come July Canberrans will be hit with an additional \$244 in their electricity bills, bringing the average Canberran's annual electricity bill to \$1,662. This is on top of the \$225 extra they will have to pay every year in their power bills to foot the bill for this government's solar feed-in tariff scheme. The list goes on and on.

We should also not forget that, since ACT Labor has been in government, ACT taxes have increased by 90 per cent per capita. ABS figures recently released show that we are taxed 10 per cent more than the national average. Based on local and state taxes, the ACT's taxation per capita rose by eight per cent in 2010-11 to \$3,437.

We have seen on so many occasions the government claims one thing but delivers nothing like it. Recall last December when we debated Mr Corbell's bill for the large-scale feed-in tariff scheme. He said:

Today I am proud to bring to the Assembly this landmark legislation that will set the standard for renewable energy generation across Australia and deliver upon ACT Labor's vision of making Canberra the solar capital of our nation. This legislation represents the Assembly and the community with an opportunity ...

We, as was the case with most Canberrans, thought that this would mean large-scale solar generation in the ACT, more jobs, more opportunities. Yet as it turned out, Mr Corbell's large-scale solar scheme amounted to nothing more than a mechanism allowing for a carbon accounting treatment in certificate trading for New South Wales generators in the ACT region.

There was no guaranteed large-scale solar generator in Canberra, no additional jobs for Canberrans and no tangible opportunities—just extra costs. In short, it was a clumsy way to expand a scheme that had already proven unmanageable and unaffordable, not just in Canberra but around the country. At worst, it is a very expensive way to do very little. Suffice it to say, I was hoping that this was a genuine idea, a tangible solution to address cost of living, but then we got the briefing.

This is a cost of living bill. Unfortunately for most Canberrans, it will push up their cost of living rather than bring it down. Take, for example, the government's priority household target of 25 per cent. This means that 75 per cent of efficiency improvements can go elsewhere. So in a worst case scenario, 25 per cent of low income households may benefit from the scheme, with the remaining 75 per cent going to big business.

Regular households, the main contributors to this scheme, in this scenario stand to receive little or no benefit whatsoever. Let us be clear on this: most Canberra families will receive no benefit under this scheme. They will only see increased costs. Worse still, those additional costs, \$32 million, will be used to subsidise large corporations' electricity bills.

This bill will increase Canberrans' cost of living. The government's modelling shows that this initiative costs Canberrans approximately \$32 million over three years. In the second and third years of this scheme, Canberrans will be paying over \$1 million a month to support this scheme. How does imposing a cost of \$1 million a month on Canberra taxpayers help them save money? The money does not come from nowhere.

When a large supermarket decides it wants to save money by upgrading its heating and cooling system, it is Canberra families that will have to foot the bill to subsidise the company's costs. If a large hardware chain wants to upgrade its lights, it is Canberra families who will pay. If a major club wants to upgrade all its television sets to more efficient models, it is Canberra families that will again have to foot the bill to subsidise this initiative. This is not only possible under this bill, it is probable. We were clearly told in the briefing that electricity retailers would find the most efficient way of meeting their targets. Clearly, dealing with large companies would be more efficient than going house to house.

There were other issues with this bill. In our briefing, we were advised that the eligible activities provided may not necessarily be free but could come in the form of discounted prices and/or top-up contributions by households. There are question marks as to whether our lowest income earners would be able to afford this co-contribution.

Neither the bill currently being debated nor the regulations provided specify the intent. At the same time, the list of eligible activities has not been formalised, and this can only be considered indicatively through appendix A of the government's RIS report. Another concern is that this scheme does not acknowledge those who have done the right thing to make their homes more efficient prior to this. If you have already paid to have double glazing put in at your home or improve your heating and cooling system

before this scheme, you get nothing. If you have spent your own money on energy efficient appliances and insulation, you get nothing. In fact, the vast bulk of Canberra families will not just get nothing, they will pay more. So the problems with this bill are many-fold.

We heard from Mr Rattenbury. I think the most important contribution that he made in the debate on the bill was that this is typical of the things the Greens support. It is typical of the kinds of things the Greens support. And we have seen time and again, right around the country, these Greens schemes which have maybe been well intentioned but which have led to nothing but additional costs for families and have led, in many cases, to governments having to run a million miles from them because they have failed so comprehensively, because costs have blown out and because in many cases industries have been damaged by these ill-thought-out schemes.

But in this case, what we are talking about fundamentally is big business welfare. We are talking about families being forced to pay more, most families getting absolutely no benefit from the scheme, and in many cases that \$32 million that Canberra families are being forced to pay, that \$32 million extra, will be money that goes to subsidising big business. We do not believe that is acceptable. We do not believe that is good policy. This is a bill that pushes the cost of living of Canberra families up and we therefore will not be supporting it.

MR HARGREAVES (Brindabella) (11.15): I am very pleased to speak in support of the Energy Efficiency (Cost of Living Improvement) Bill 2012, which will establish a retailer obligation energy efficiency scheme for the territory. The scheme is a true win-win-win scenario. It is good for the environment, it is good for the economy and it provides much-needed support for those most in need in our community to reduce energy costs and associated cost of living pressures. Following the introduction to this bill provided by my colleague, outlining how the scheme works and its policy context, I would like to highlight some of the key issues that arise from the comprehensive regulatory impact assessment conducted for this bill.

The ACT has the unenviable position of being among the highest per capita energy users in Australia. This leaves ACT households and businesses disproportionately exposed to current and expected increases in energy prices in the future. It also makes us, regrettably, among the world's worst emitters of carbon dioxide pollution on a per capita basis.

We know that one of the biggest contributors to expected price increases will be the enormous upgrades required in the national electricity market, NEM, as a result of increasing electricity demand at peak times, as well as the carbon cost of emitting energy from non-renewable energy sources. Over \$50 billion is approved to be spent across the NEM on network infrastructure alone over the current four-year regulatory period.

The forecast increases for future coal and gas commodity prices are also alarming. Plans to commence exporting compressed natural gas from Gladstone will expose Australia's east coast to world natural gas prices for the first time. Some analysts

predict that this may result in a doubling of wholesale gas prices, flowing through to the cost of heating and cooling our homes and our business, at the cost of generating electricity.

Inefficient use of energy compounds these costs and drives up wasteful generation and network investment and results in increased emissions at the point of generation. The best way to address these issues and decrease our exposure to increasing energy bills is to provide households and businesses with greater options to decrease their energy use. That is what this bill does. It does so through a tried and tested means, building on the lessons of other jurisdictions in Australia and abroad. It does so whilst striving for national consistency and minimising the regulatory burden on participating businesses. This is a practical reform.

As the Assembly is aware, the government, in response to community demand, has committed to the most ambitious greenhouse gas reduction targets in the nation. With our high per capita energy use, it is not surprising that electricity use, at 63 per cent, represents the largest single source of greenhouse gas emissions in the ACT. Tackling this single, biggest contributor is therefore a logical step in our emissions reduction strategy. It will also be among the most cost-effective measures we undertake.

What is the role for government? Despite the abundant savings and climate benefits associated with energy efficiency, experience demonstrates that a broad range of market failures prohibit the uptake of economic energy efficiency activities. Government intervention is required. The market failures that prevent ACT households and businesses implementing energy saving initiatives include a lack of information, split incentives and a lack of access to capital to cover implementation costs, especially for low income households and small businesses.

While the commonwealth government's price on carbon goes a long way to address many of the negative externalities associated with the emission of greenhouse gases in Australia, the barriers I have outlined will exist even after the price on carbon is introduced. For this reason, South Australia, New South Wales and Victoria continue to operate market-based, energy efficiency schemes and the commonwealth government is investigating the development of a national scheme. It is also for these reasons that this government's sustainable energy policy, adopted late in 2011, identified the implementation of an energy efficiency scheme as a priority.

But how will households benefit? There is a vast range of simple but effective ways of reducing energy use in territory homes and businesses. A schedule of eligible activities determined to save energy will be determined under the legislation, through a notifiable instrument. These activities will be largely based on activities currently available under the Victorian energy efficiency target scheme and they will grow and adapt.

Based on the modelling underpinning the scheme, I can provide some examples of the kinds of activities various households may undertake and the indicative savings, contrary to what you heard earlier this morning. A rental tenant who installs one standby power controller and a water efficient showerhead may achieve current savings, of \$287 per annum for an up-front cost of \$140 after incentives. A further

\$45 per annum can be saved by purchasing a high-efficiency refrigerator. It is as simple as that. A landlord who installs insulation in a rental property can increase the star rating of their house while generating savings for the tenant of around \$500 per annum, increasing value for tenants as well as potential rental earnings.

A homeowner who replaces an inefficient resistive electric heater with a mounted split-system reverse-cycle heater could be up for savings of around \$280 per annum, while improving comfort and increasing the house's resale value. A further annual saving of around \$450 could be made by replacing electrical storage hot water with a gas-boosted solar system.

Due to the 25 per cent priority household target incorporated in the legislation, low income households may be provided with additional incentives to participate. Suppliers may need to employ specific tactics to engage these groups and overcome up-front cost barriers such as high-discount products or long-term on-bill financing. I note that there is also an opportunity for complementary programs funded by tier 2 contributions to target areas of the community that continue to face barriers to energy efficiency. These programs will be developed based on ongoing assessments of the scheme's performance and identified areas of the community most in need.

These technologies, the technologies that will underpin our transformation to a low-carbon, energy efficient economy, are rapidly evolving. In the area of lighting, for example, it has only been in the last decade that we have seen our community change from incandescent to compact fluorescent lamps, with savings of over 80 per cent. Over the next decade we may see a second transition to LEDs.

The benefit of a market-based scheme such as the one proposed is that we, as legislators, do not need to make these technology calls ourselves. We provide an impartial, outcomes-based incentives framework based on targets for energy savings. The community will determine the range of measures it pursues. This means outcomes are necessarily the lowest cost and the highest value.

This flexibility responsiveness demands a robust but equally flexible legislative framework. In this context, I draw members' attention to the following features of the legislation that will underpin its success. A range of eligible measures under the scheme is set by the minister by notifiable instrument to allow for activities demonstrated in other jurisdictions to be rapidly adopted for the benefit of the territory. A provision will be included for electricity suppliers to apply to the scheme administrator to have novel, project-based initiatives accredited. This may support wide-scale deployment of technologies or behaviour change projects to be incorporated over time.

The energy savings contribution rate is set by disallowable instrument. This will allow the Assembly to respond rapidly to technology or other market changes to adjust contributions for tier 2 suppliers so as to offset any potential competition effects. The energy savings targets set for the scheme as a whole are based on this expected amount of greenhouse gas savings achievable. A target of seven per cent applies in 2013, 13 per cent in 2014 and 14 per cent in 2015. These targets, while fixed to provide certainty for participating suppliers, can be adjusted in response to unforeseen challenges or opportunities that may emerge.

It is important to note that scheme energy savings targets reflect the total lifecycle energy savings of activities undertaken in a given year. I also note that the bill provides for rollover provisions for shortfalls of up to 10 per cent to minimise compliance risks and to ensure maximum rate of participation through the undertaking of energy savings activities as opposed to the payment of penalties.

Finally, I point to the wide-ranging capacity for the administrator to establish codes of practice for eligible activities, particularly in relation to health, safety and environment matters. Such codes may go to matters such as the proper disposal of lighting or other electrical appliances or safe construction practices. The approach adopted in the territory builds on the experience of schemes in other jurisdictions and their good health, safety and environment records.

In conclusion, this scheme is robust and it is flexible. This bill is a practical response to the current and forecast energy cost pressures facing our community and our economy. It will deliver savings to households and to business and it will help address the cost of living pressures for large swathes of our community. I commend the bill to the Assembly.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (11.26), in reply: I thank the Greens for their support of this bill. This is a very important piece of legislation. The Energy Efficiency (Cost of Living) Improvement Bill is a bill which will result in reduced energy costs to households and businesses in the territory while also reducing the territory's carbon footprint.

Firstly, let me deal with the issue of abatement. We know that energy efficiency is one of the most effective measures and one of the lowest cost measures to achieve abatement of greenhouse gas emissions. That is why the government has pursued the introduction of this comprehensive piece of legislation. The abatement identified in this bill is in the order of 750,000 tonnes of greenhouse gas emissions over the life of the scheme. That is a significant contribution in working towards the territory's greenhouse gas reduction targets. And it can be done at a real net benefit to the territory economy. This is not a piece of a legislation that imposes costs on the territory economy. In fact, it produces benefits. The net present value of this scheme over the life of the scheme is in the order of \$40 million to the territory economy.

So how can the Liberal Party stand up in this place with any credibility and suggest that this scheme imposes costs on the territory economy? Clearly, they have not read the regulatory impact statement. They have not done their homework on this issue. The net present value of the scheme—the value to the scheme, the value to the economy—is \$40 million. That is the value to the economic activity of the territory from this scheme. Clearly, they have ignored that point.

What is worse, though, is the claim by the Liberal opposition that this is a scheme that provides a subsidy to big business. What an outrageous, stupid and ill-informed claim. This scheme will not be available to big business. If Mr Seselja had done any homework whatsoever, he would know that what the government has said and what

the government has outlined in its legislation, in its explanatory statements and in the introduction speech of this place is that the government wants to see this scheme extended to small and medium businesses in the same way that it currently operates in Victoria.

Who in Victoria expanded the operation of their energy efficiency scheme to small and medium businesses? It was the Victorian Liberal government. The newly elected Baillieu Liberal government not only agreed that the previous Labor government's energy efficiency scheme on which this legislation is based was a good idea; they expanded it to include small and medium businesses. So there is the contrast, Madam Deputy Speaker. On the one hand, there is a sensible and considered response by a new Liberal government in Victoria that not only supports energy efficiency legislation but has expanded it to small and medium enterprises. Here in the ACT, the ACT Liberals just say no. I think they say no to cover their embarrassment, to cover the embarrassment that they know they do not really understand how this legislation operates.

That is quite clear from Mr Seselja's comments. Mr Seselja stood up in his speech against this bill against this morning and said that a range of measures would be eligible under the scheme for so-called big businesses. He said that things like air conditioning or refrigeration upgrades at a supermarket would be subsidised by taxpayers. He said that high bay lighting upgrades at a large hardware store would be subsidised by taxpayers. They are not listed. Those measures are not listed as eligible measures in the government's regulatory impact statement. Where did he get those from? Further, they are not eligible measures in the Victorian scheme, which is available to small and medium enterprises—not big enterprises: small and medium enterprises. Once again, Mr Seselja gets it wrong.

Further, Mr Seselja claims that this is a subsidy from households to businesses. It is nothing of the sort. Where does 60 per cent of electricity consumption in the ACT economy occur? Over 60 per cent of electricity consumption in the ACT economy occurs in the commercial sector—not in the household sector: in the commercial sector. Who are the majority users of electricity in the ACT economy? Industry—not households.

Who will wear the majority of the cost of this scheme? Not small households, but big energy users: big commercial office buildings, big commonwealth government department buildings and big shopping centres. That is who will wear the majority cost of this scheme. They are the ones who will subsidise the cost of the scheme for everyday Canberra households. They are the ones who will meet the pass-through cost so that small households—struggling households, low income households—can get better insulation, draught sealing around their windows and doors, double glazing or a more efficient heater so that they save money on their electricity bills. Mr Seselja should look again at the regulatory impact statement to see that that is set out very clearly. Once again, Mr Seselja has got it wrong. He has got it wrong.

This is legislation that delivers energy efficiency services to those who need it most. It delivers a saving, on average, per household, of \$300 a year.

Members interjecting—

MADAM DEPUTY SPEAKER: Mr Hargreaves! Mr Seselja! We are not having conversations across the chamber.

MR CORBELL: Over the life of the measures implemented in households, the saving for households is in the order of \$2,000 per household. Those are the real and direct savings to households. That is why the Labor government proudly calls this the Energy Efficiency (Cost of Living) Improvement Bill—because it saves households money and it saves the environment in terms of greenhouse gas emissions. It is a win-win situation.

Madam Deputy Speaker, let us talk further about the types of measures that Canberrans will see delivered through this scheme. Let us look first at renters. There has been some criticism, in the media and otherwise, that renters will not be eligible for assistance under this scheme because the changes that will be made will be made only to the fabric of households and will require the permission of landlords. That is not the case. For example, a rental tenant who installs one stand-by power controller and a water-efficient shower head could achieve savings of \$287 per annum for an up-front cost of only \$140 after incentives as a result of this scheme. A further \$45 per annum could be saved by purchasing a high efficiency refrigerator. Those are the types of measures that a rental tenant will be eligible for because of this scheme.

Equally, a homeowner who installs insulation could increase the star rating of their house by generating savings for themselves, or indeed for a tenant, in the order of around \$500 per annum, increasing the value for them as well as for the people who occupy the premises. Further, a homeowner who replaces an inefficient resistive electric heater with a mounted split-system reverse-cycle heater could be up for annual savings of around \$280 per annum, while improving their comfort and indeed their house's resale value. A further annual saving of around \$450 could be made by replacing electric storage hot water with a gas-boosted solar system.

Because of the 25 per cent priority household target which is incorporated into this legislation, low income householders are expected to be provided with additional incentives to participate, because it will be a legal obligation on the electricity company to ensure that 25 per cent of all households assisted are households who fit into that low income category. They will need to employ specific tactics to engage these groups and overcome some of the up-front cost barriers that would otherwise act as a disincentive for those households to participate.

This is a bill that helps households. This is a bill that will reach at least 70,000 households across the ACT. That is half of all Canberra households. And 25 per cent of those households will be low income households. This is a scheme which is for the good of our community. It is for the good of low income earners. It is for the good of those who are most exposed to shifts in utility prices.

To suggest, as those opposite do, that this is some sort of subsidy from households to large businesses shows extraordinary ignorance and a failure to understand how this

scheme operates and how schemes like this operate in other jurisdictions. Why is it that Liberal governments in New South Wales and Victoria, on their recent election, have retained energy efficiency alone as the measure that they pursue when it comes to greenhouse gas reduction? Why is it that these governments, who have been so resistant to other policy measures such as support for renewable energy and so on, have chosen energy efficiency alone as legislation that they will not only support but expand? They do that because they know it makes economic sense, and they know that it saves householders and small and medium businesses money. It saves them money. Most importantly, it does two things: it reduces greenhouse gas emissions and it reduces demand on electricity networks. Governments around the country are facing price increases in electricity costs overwhelmingly because of network costs, because of the need to build more generation and the need to augment supply networks to meet demand.

If we as a community, and if we as an Assembly, are serious and credible on the issue of addressing community concerns about price increases in electricity, the best thing we can do is legislate to implement measures that reduce demand on networks—that reduce the need to build more power generation, that reduce the need to pass through the costs of that infrastructure to consumers. That is what this legislation does. This is good Labor government legislation—Labor government legislation that supports low income households, drives reforms in energy efficiency and ensures that people are less exposed to the costs of energy supply in our community than they would otherwise be. I commend the legislation to the Assembly.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 11

Noes 6

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

Question so resolved in the affirmative.

Detail stage

Bill, by leave, taken as a whole.

MR RATTENBURY (Molonglo) (11.45): I move amendment No 1 circulated in my name [*see schedule 1 at page 1999*].

This is the amendment that I flagged in my in-principle speech. It relates to the definition of eligible activities. As I flagged before, at the moment the power under

the legislation is for the minister to determine the list of eligible activities, and to do so by a notifiable instrument. The process for working out some of the eligible activities seems to be fairly rigorous in the first instance, but I think that it is entirely appropriate that the Assembly retain the power to disallow that if the minister puts in eligible activities which we believe are not in the spirit of the scheme or are not warranted, or perhaps if evidence is put to us that an error has been made in the process of developing the list of eligible activities.

It is interesting to see the way that Mr Seselja has approached this issue today. I certainly was not expecting that angle. I prepared this amendment before he came in with his analysis of the legislation. Whilst I disagree with his analysis of the legislation, I think this amendment in some ways speaks to the concern that Mr Seselja has. It is certainly not my expectation that the sorts of measures he described would be allowed under this legislation. They are certainly not in the draft list in the regulatory impact statement. They have not been approved on the Victorian list. But if somehow the government took a policy decision that they wanted to go down the path that Mr Seselja is speculating they might, the Assembly should be able to disallow it, because it would be very contrary to the spirit and intent of how I believe the legislation has been framed. This provides an insurance against the scenario that Mr Seselja describes.

I did provide this amendment to both the government and the opposition. I flagged it with the government last week and provided it to the opposition when we got it back from PCO yesterday. I have not had a response. I do not know what is going to happen this morning. It is a mystery coming here with these sorts of things sometimes. It is part of the excitement, I suppose. The government has indicated its opposition to this, so the Liberal Party find themselves with the balance of power. It will be interesting to see how they exercise that balance of power today. Are they going to help us put the insurance policy in place to make sure that should the government go down the path that Mr Seselja fears, the Assembly has the power to act against that?

I think it is important that we put this safeguard in place. I commend my amendment to the Assembly.

Question put:

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

The Assembly voted—

Ayes 4

Ms Bresnan
Ms Hunter
Ms Le Couteur

Mr Rattenbury

Noes 11

Mr Barr
Dr Bourke
Ms Burch
Mr Coe
Mr Corbell
Mr Doszpot

Mrs Dunne
Mr Hargreaves
Ms Porter
Mr Seselja
Mr Smyth

Question so resolved in the negative.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (11.50): Pursuant to standing order 182A(b), I seek leave to move amendments to this bill which are minor and technical in nature.

Leave granted.

MR CORBELL: I move amendments Nos 1 to 4 circulated in my name together [*see schedule 2 at page 1999*].

Recent changes in the large scale electricity contract market have necessitated a number of minor amendments to this bill. The bill as it stands provides a simplified obligation for suppliers with sales of less than 500 gigawatt hours per annum. I am proposing that the bill be amended and that the simplified obligation may also be accessed by suppliers of fewer than 5,000 customers, which is the same threshold that applies in Victoria. This does not affect the obligations of any suppliers under current market conditions. It allows for greater flexibility for suppliers selling exclusively to large commercial customers to grow their market share without triggering an obligation to deliver energy efficiency services in the residential sector.

While the amendments are minor and technical in nature, the government believes it is important they are adopted to provide the greatest possible level of certainty for industry moving forward. The amendments also address a number of minor matters raised in the scrutiny of bills committee report No 51. The amendments allow the Assembly to disallow codes of practice issued by the scheme administrator in relation to health, safety and environment issues and clarify the basis on which the administrator may require information from a supplier. I commend the amendments to the Assembly.

MR SESELJA (Molonglo—Leader of the Opposition) (11.52): I will briefly respond to Mr Corbell, because he is trying to put forward a falsehood, and he has done that on a number of occasions. We asked his officials specifically about the issue of big business. Initially they referred to small and medium enterprises, and so I asked for clarification. I asked, “Will it just be limited to small and medium enterprises?” The answer I got was, “Well, there aren’t really any big businesses in Canberra.” That was corrected by me and another official who said, “Well, actually there are many big businesses who have premises here in Canberra, and they would be eligible.” It was made absolutely clear to us, and there is nothing in this legislation to prevent it, that big business—whether it be Costco, whether it be Woolworths, whether it be Westfield—will be eligible under this scheme.

Mr Corbell can try and pretend that it is not true, but we specifically asked the question and we were told that that was the answer. That is the issue: Mr Corbell is embarrassed by the fact that we have highlighted that. It was highlighted in the briefing; it was confirmed in the briefing. No amount of trying to skirt around it will change that fact, and that is why we do not support the legislation.

MR RATTENBURY (Molonglo) (11.54): Firstly, I will confirm that the Greens will be supporting the amendments proposed by Mr Corbell. Again, we have had a discussion with the departmental officials on these matters and understand the rationale behind the amendments being required.

I will also briefly comment on the remarks Mr Seselja just made. It is gobsmacking the new standard that has been set by the Liberal Party here today. The exact issue he has just highlighted—I actually disagree with his analysis and do not think it is going to be the case—could have been safeguarded against by the amendment I just proposed. But the Liberal Party (a) could not comment on it (b) did not respond to us in the 24 hours since we sent amendment and (c) simply voted against it. It just goes to show that there is no willingness to engage in a constructive conversation in this place.

You may disagree with the legislation, but it is clearly going to go through. If you had a bone of integrity in your body, when a potential safeguard is pointed out to you, you might overcome your political position and do the right thing for the Canberra community. But that is not the Liberal Party. It is all about headlines; it is never about the practical outcomes. It is all about a cheap shot. It is not about getting the best outcome for the Canberra community.

Members interjecting—

MADAM DEPUTY SPEAKER: Resume your seat, Mr Rattenbury. Stop the clock, please. Members, there is just far too much noise. I cannot hear what Mr Rattenbury is saying. You will hear Mr Rattenbury in silence, otherwise you will be warned.

MR RATTENBURY: The really disappointing part is they fail to do the analysis and understand how the legislation works. That is highlighted in Mr Seselja's press release on this issue, which has gone out—

Mrs Dunne: On a point of order, Madam Deputy Speaker, could I ask you to have Mr Rattenbury withdraw the assertion that Mr Seselja does not have an ounce of integrity? That is a personal reflection and I—

MR RATTENBURY: On the point of order, Madam Deputy Speaker, I would like to clarify that I was not referring specifically to Mr Seselja; I was referring to the whole opposition bench.

Mrs Dunne: On the point of order, I take exception to that and consider it is a personal reflection on me. I would like it withdrawn.

Mr Hargreaves: On the point of order, Madam Deputy Speaker, in previous Assemblies to this one, where the perceived slight has been to a specific member, the member delivering the slight has been asked to withdraw. Where, however, the perceived slight has been to a corporate entity, it has been ruled not to be out of order.

Mr Coe: Madam Deputy Speaker, on the point of order, a review of *Hansard* will show that Mr Rattenbury did in fact say, "If you have got a bone of integrity in your

body.” So he was implying that he was referring to an individual as opposed to the collective.

MADAM DEPUTY SPEAKER: Mr Rattenbury, I invite you to withdraw.

MR RATTENBURY: Mr Coe may well be correct, in which case I am happy to withdraw. I certainly was not intending a personal reference.

MADAM DEPUTY SPEAKER: Thank you, Mr Rattenbury. You still have the floor.

MR RATTENBURY: That issue aside, what this comes down to is the ability to work on the detail of legislation, to be willing to make a serious contribution in this place, and to have a decent understanding of what is going on. Mr Seselja’s media release on this issue this morning highlights that simple lack of understanding. I quote from the latter part of the press release in which he says:

Regular households, the main contributors of this scheme, would receive little of the benefits but will pay the price.

Aside from the grammatical crimes in that sentence, it is actually incorrect. All you have to do is go to page 9 of the regulatory impact statement as one example. It shows the ACT sources of greenhouse gas emissions, and it highlights in different colours—it is really straightforward—residential electricity and non-residential electricity. Whilst the specific numbers are not indicated on the graph, clearly a larger segment comes from non-residential electricity. Without even having to go to the figures you can see that more electricity is consumed by the non-residential sector than by the residential sector. The minister has indicated the figure of 60 per cent being the electricity consumed by the non-residential sector. So when the press release talks about regular households being the “main contributors of this scheme”, that simply cannot be the case because they do not buy the most electricity. The minister has elaborated on that point.

A bit of honesty from Mr Seselja would be a good thing in this debate—a bit of honesty and an ability to acknowledge some of the positives in this scheme. In the entire press release and in his entire speech Mr Seselja failed to acknowledge the potential benefits to the community under this scheme. That is in real contrast to the new Liberal National Premier of Queensland—

Mrs Dunne: On a point of order, Madam Deputy Speaker, Mr Rattenbury in his comments about Mr Seselja’s comments in this debate today and in his press release said that that required a little bit of honesty. That is a reflection upon Mr Seselja as a member and is unparliamentary. I ask you to ask Mr Rattenbury to withdraw.

MADAM DEPUTY SPEAKER: Mr Rattenbury, that is bordering on imputation there. I think you might need to withdraw that.

MR RATTENBURY: I will withdraw and reword the sentence for the comfort of those opposite: I think this entire debate would be a more honest one if Mr Seselja were able to tell the full story. And I draw on the—

Mrs Dunne: On a point of order, Madam Deputy Speaker, Mr Rattenbury has said that Mr Seselja needs to tell the full story. That is an implication that Mr Seselja is withholding some of the truth. Mr Rattenbury is the Speaker in this place and is required to uphold the standing orders. He should know the standing orders and he should know not to reflect upon the honesty of members in this place.

Mr Hargreaves: On the point of order, Madam Deputy Speaker, it is crystal clear there was no specific reference to a specific member in this chamber. This point of order is vexatious and it is litigious and it is repetitive. And I suggest—

Mr Coe interjecting—

Mr Hargreaves: Madam Deputy Speaker, we have some more compressed natural gas being generated across the chamber. I respectfully draw to your attention the notion of vexatious and repetitive points of order.

Mrs Dunne: On the point of order, Madam Deputy Speaker, Mr Rattenbury began his remarks by referring directly to Mr Seselja.

MADAM DEPUTY SPEAKER: Mrs Dunne, I believe we dealt with the previous matter and Mr Rattenbury has withdrawn his comments. I do not believe there is any matter he needs to withdraw at the moment. He was just making a general comment about the debate in the house at the moment. That is my understanding. Mr Rattenbury, will you continue, please.

MR RATTENBURY: I will move on from the point. What I am trying to draw out is that today's debate has been in stark contrast to the approach taken by the new Liberal National Premier of Queensland, Campbell Newman, who last week actually acknowledged some of the full issues. In talking about electricity prices in Queensland, he talked about the fact that a large amount of the cost increase has been driven by network investment. He discussed the fact that there is a possibility there has been gold plating when it comes to network investment in Queensland.

He also acknowledged that the increase in energy bills in Queensland resulting from a carbon price would be covered by the compensation package in the carbon price package. This is the sort of depth of conversation this Assembly would benefit from much more when we debate complex issues. We should look at the whole story rather than selective bits of the story that suit one's own political narrative. Campbell Newman has demonstrated it is possible to do that.

This sort of debate would benefit from a fuller discussion where we could actually come in here and acknowledge the modelling and acknowledge the potential benefits to the community. If you are going to assert the modelling is incorrect, you need to actually come in with some modelling of your own. Mr Seselja has come in here today and made some assertions about how this scheme will or will not work. There is no modelling in it; it is just an assertion. That does not assist the debate in this place. It is disappointing that we have come to this point, but I simply confirm at this point that the Greens will be supporting the government's amendments.

Members interjecting—

MADAM DEPUTY SPEAKER: The behaviour in the chamber is deteriorating by the minute. The next person who opens their mouth while Mr Corbell is on his feet will be warned. We will hear the minister in silence.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (12.05): Mr Seselja has raised again this foolish, misguided and just plain false claim that big businesses are eligible for assistance under this scheme. They are not eligible for assistance under the Victorian scheme, which this bill is based upon, and they are not eligible under this scheme either. That can be highlighted in a couple of ways.

Firstly, it can be highlighted by the fact that even a small branch office of a large company in Canberra is a big energy user. It is a big energy user because big companies have big electricity contracts. They do not have individual accounts for each office; they have a single big electricity contract, or a series of big electricity contracts, to purchase their electricity and energy needs. They do not try and deal individually with different retailers across jurisdictions. They have a series of big contracts. They are big energy users. Clearly Mr Seselja fails to understand that.

Further, the list of eligible measures outlined in the regulatory impact statement are specifically designed for households in the first instance. They are designed for households, not for businesses, and the government has made it clear that the expansion of this scheme to small and medium businesses is subject to the production of a similar detailed regulatory impact statement that outlines the costs and benefits of doing so.

We know that these schemes are very successful for small and medium enterprises—for butchers, for the local fruit shop, for the local hairdresser. There is a whole range of measures that can be implemented that reduce the electricity bill of those types of premises. That is why the Victorian scheme has been expanded to include small and medium enterprises and that is why this legislation creates the framework to deliver the same sort of scheme here in the ACT, subject to a detailed regulatory impact statement.

These changes to the legislation that we are debating in this detail stage make it clear that we are focusing very much on ensuring that the large retailers will have the obligation to deliver this energy efficiency service to households and in turn to small and medium enterprises. But it is wrong of those opposite to claim that somehow this is a subsidy from households to big businesses. At the very least that belies their lack of understanding of the structure of the energy market here in the ACT and the fact that the majority of users of electricity in the ACT are in the commercial sector, not in the household sector. So the pass-through costs are borne in the majority by the majority users of electricity, which is the commercial sector, not the household sector. That means that it is those big energy users in the commercial sector who are doing the great bulk of subsidising the delivery of energy efficiency to low income households, to renters, to average weekly income earners, who deserve assistance, who deserve help in reducing their electricity costs, improving their energy efficiency and reducing our greenhouse gas emissions.

MR SMYTH (Brindabella) (12.09): The shifting sands of Mr Corbell's logic continue to shift. The opposition got told one thing in a briefing. The minister denied it and went to talk to the officials, who confirmed what Mr Seselja was told. The minister came back to justify what he said in light of the facts that he had just found out. We know that Mr Rattenbury has confirmed that what Mr Seselja said could happen will happen, because he wants to put in a review clause—and the minister still has his head in these shifting sands, denying it.

I wonder if the minister has actually seen the ACT energy efficiency improvement scheme document that was given to the opposition. What does it say about the scheme? It says:

Business activities

Will broadly follow VEET business measures

All residential activities excluding ceiling insulation and weather sealing have been extended to business under the Victorian Scheme

Also tipped for possible inclusion under VEET ...

Here it comes. Here is the exclusion list:

Commercial lighting upgrades including street lighting

Replacing an existing three-phase motor with a HE motor

Replace an existing refrigerated display cabinet (RDC) with a HE RDC

Replace the fans in a commercial refrigerator or RDC with fans driven by electronically commutated motors

Implementation of energy saving measures under an Energy Performance Contract with an Energy Services Company.

It is a pretty good list if I was a small or medium business. We have got the Greens rep now checking the facts with the minister's officials, but I guess if you are in a coalition they are your officials so you get to share them. But what is included in the briefing document, the official document given to the opposition, about the household activities? It states:

Examples—building envelope, heating, hot water service and non-fixed appliance upgrades

All of those are things which many small and medium businesses have. The staff who briefed the opposition actually said there are no big businesses in the ACT. So it will be small and medium businesses subsidising small and medium businesses, apparently, because, unless the officials got it wrong and the minister is going to disavow what they have said, there are no big businesses in the ACT.

You can just about get everything. So exactly what Mr Seselja has predicted is allowable, according to the document that has been given to the opposition. The minister needs to stand and say that the officials were wrong, the document was wrong or he was wrong; they are the choices. Either what we were told was wrong, what is printed here and that I have just read out is wrong, or the minister, yet again, has got it wrong. And remember that this is the minister who in 2004 was found guilty of persistently and wilfully misleading the Assembly. Say whatever you have got to say. But before the 2003 election he was caught in O'Connor saying, "There will be no Gungahlin Drive," but in Gungahlin he was caught saying, "We will build the road."

So we have got the record of the minister. We have got the measure of the man. The shifting sands that occur with those opposite as they try to explain away their embarrassment of being caught—caught out yet again—not across his brief, not having asked the appropriate questions of the officials, not having read the document that has been provided. From that document I would assume that if Dan Murphy has got a fridge he can get the fridge replaced.

Mr Corbell assumes that every business out there in the ACT that belongs to a chain actually pays their one bill for their electricity in head office. So every Westfield across the country sends all their bills back to head office, wherever it is—Sydney—and Frank signs one cheque and sends it off to one electricity supplier because they have got one contract. That is what Frank Lowy does all the time—just to make Mr Corbell's case.

McDonalds have fridges and lighting, interior and external, and they have motors and they replace things; they have got lights and all sorts of things. He is assuming of course that every McDonalds electricity bill is paid by headquarters. But it is not.

Mr Corbell: It's a franchise, you goose.

MR SMYTH: "It's a franchise." Of course it is a franchise! That is the whole point. Most of the businesses in the ACT I suspect would be cost centres and they have their own financial controllers and they negotiate their own contracts, often with local suppliers.

So we have got the document and we have got what the officials told us, and that is in direct contrast and contradiction of what the minister says. We have now got the Greens hurriedly going to their officials again to get their briefing and their take on the deal. The Greens knew we were right, because Mr Rattenbury admitted that the basis of his clause amendment was "just in case what Mr Seselja said was true, we'll put in a safety catch so we can catch them later—but don't tell anybody".

They are all exposed. So there it is: yet again we have a bit of legislation where the government does not know what it is talking about and the Greens blindly go along with it because that is what you do when you are in the Greens-Labor agreement. At the end of the day it is quite clear that the Greens-Labor alliance does not know who is paying for what. The reality is that it is another \$32 million tax on the people of the ACT.

MR RATTENBURY (Molonglo) (12.15): Again I am drawn to the unfortunate situation we find ourselves in by Mr Smyth's remarks. What was quite clear was that I had given my amendment to the Liberal Party before Mr Seselja went to the Liberal Party conspiracy cupboard on this one and I had made it very clear as to why I thought this amendment was necessary. So this Assembly could—

Mr Coe: Point of order, Madam Deputy Speaker. I ask whether the speaker is reflecting on a vote of the Assembly.

Mr Hargreaves: On the point of order, Madam Deputy Speaker, which vote of the Assembly is Mr Coe referring to?

Mr Smyth: The one that we just had.

MR RATTENBURY: On the point of order, it was also the same one Mr Smyth was just discussing, Madam Deputy Speaker.

MADAM DEPUTY SPEAKER: Yes. There is no point of order. Mr Rattenbury, continue, please.

MR RATTENBURY: My simple point was that Mr Smyth has highlighted a point which we sought to address, but he could not bring himself to address it when it came to the crunch, when it came to the actual vote. Similarly, Mrs Dunne, who sits on the scrutiny of bills committee here which recommended a similar amendment, when it actually came to the vote put politics over principle and failed to support what her own committee had recommended be done with this bill.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (12.16): The opposition seek to assert that in some way the briefing that was provided to them by my officials is different from the position that the government has adopted in relation to this matter. Nothing could be further from the truth. It is not a case that I am wrong or my officials are wrong or the briefing is wrong. It is a case that the Liberals are wrong. And the reason for that is that under the slideshow—we have to reduce it to a slideshow for those opposite of course—it outlines:

Business activities

Will broadly follow VEET business measures

What does “VEET business measures” apply to? It applies to small and medium enterprises. It does not apply to big business.

The Victorian government is actually considering including lifting the threshold and making these measures eligible to larger businesses, because they see the economic benefit of doing so. But that is in a larger economy where they have got a range of different circumstances from those in the ACT. But it is interesting that the Liberal government in Victoria thinks this type of legislation is so effective that it wants to potentially extend it to larger enterprises. That is in marked contrast to the position of the local Liberals.

This is legislation that is supported by Liberal governments in New South Wales, in Victoria and, I believe, in Queensland. So here we have the three most recent successful incumbent Liberal administrations in the country saying that energy efficiency legislation is legislation that should be implemented and expanded to include small and medium enterprises and potentially large enterprises.

But the Liberals here keep their heads in the sand. The Liberals here refuse to engage in a serious policy discussion about measures that can reduce demand on the electricity network, that can save consumers money and can reduce greenhouse gas emissions. It is a terrible indictment of their position as a credible alternative government in this place.

MR SESELJA (Molonglo—Leader of the Opposition) (12.19): I think Mr Corbell may well be incorrect again in another one of his assertions, that somehow Queensland has adopted this scheme. I am not aware that that is in fact the case and if it is not—we will check—maybe he can come back and correct the record again. But the point I would make is this: I think he is now having a clutch at straws. He is having to say, “Some other people have done it and so you should do it,” because he cannot explain it and he has been caught out on this fundamental question.

He tried to claim we were wrong when we said it could apply to big business. So he went to his officials and checked with them and we saw, when he came back, that he actually had nothing to say. So he had to concoct a new story. He had to come up with a completely new justification as to why it will not apply to large businesses. The reality is that it can. It absolutely can. And that is why the honest and diligent public servants, when we asked them, told us the truth. There is nothing in the legislation that stops it. And when we asked the officials could it apply to big business, one of the officials, having said they did not think there were any big businesses in Canberra, said “Actually, yes, there is nothing to stop it.” And there is nothing in any of the documentation that will limit it in that way. So Mr Corbell has had to concoct a new story.

They would not do it anyway, even if it did apply to them. That was the argument he came back to. He said they could not do it. It is not that they could not do it under the scheme, he is saying that, because of the contracts that they have, they would not be able to. On that logic, anyone who is not bound in that way by a contract, anyone who is doing business here with ActewAGL, will be able to benefit from this scheme, be they small, medium or large.

Again, I find it extraordinary that we have got a minister that does not understand his own legislation. This is a blank cheque that the Greens have given him, and that is what the Greens have acknowledged. That is why Mr Rattenbury had to come back and try to belatedly fix it. This is the problem with the Greens. They fall into line so quickly with what the Labor Party does. Maybe that is why we are seeing a dramatic fall in their poll numbers. When you just attach yourself to the Labor Party, maybe people do not see any difference. What is the point of voting Greens? We see that again. On this issue they have attached themselves so closely to the government, without thinking about it, and then at the last minute they have thought: “Maybe the opposition is right. We had better try to fix it.”

We believe that this is a scheme that cannot be fixed. We believe that the responsible thing would be not to pursue schemes which are just going to place more cost burdens on Canberra families. They will place more cost burdens on Canberra families. They will punish those who have already done the right thing. Those people will not get any benefit and big business, large and medium businesses, will be able to benefit from this scheme.

We do not believe it should be the role of government to be pushing people's electricity prices up for this purpose. We see it time and again. We were told if we all paid hundreds of dollars extra a year for the solar feed-in, it would be wonderful in terms of jobs and the region and all this, and it has not eventuated. But Canberrans are paying that price. We have seen government after government walking away from these schemes that do not work because they place these kinds of cost burdens on families. And now we see that even on the basic detail, Mr Corbell cannot get it right.

The Labor Party and the Greens have signed over a blank cheque to Mr Corbell for this government, if they were to be re-elected. If they were to be re-elected, we can only imagine how this scheme will get out of control, like the other Greens schemes have. We will not support that kind of blank cheque and we will not support a scheme that again slugs Canberra families. We have got the triple hit from the Labor Party and the Greens. They hit people with the carbon tax, they hit people with the feed-in tariff and now they hit people with this latest piece of legislation.

But the minister has been caught out. He has been caught out and he has had to change his story during this debate as to how this will work. He has changed his story from "It cannot apply to big businesses" to "It probably will not because of their contractual arrangements". That is an acknowledgement that the scheme allows it. It allows it, and it is one of the reasons why this party, the Canberra Liberals, will not support it. But Mr Corbell has to be honest. He cannot go around and just make up facts as he likes. His officials have been honest and diligent with us. Unfortunately, he has not shown the same levels in the chamber today.

MR HARGREAVES (Brindabella) (12.24): I am a bit amazed at Mr Seselja banging on about this adding more cost burdens to Canberra families. I find it rather remarkable that a man who is on well over \$190,000 is talking about the burdens on Canberra families and saying that this legislation is a burden.

He referred to a rental tenant. That is a bit of a tautology, I know. What about the saving of \$287 per annum for an up-front cost of \$140? What part of that is bad news for a low income family? Let us say that the people who are forced into renting do not earn \$190,000 a year. They are more likely to have a family income of about \$60,000, if we are really lucky, in this town. What is the bad news about a saving of \$45 per annum by purchasing a higher efficiency refrigerator? Where is the bad news in that? It is because of these sorts of initiatives that that has happened.

What happens to a tenant if a landlord installs insulation in a rental property? They will not do it unless there is something in it for them. But if there is something in it for them and there is an incentive scheme, they will do it. So if they put that insulation into a rental property, it is going to save the tenants—remember, the tenants are not on \$190,000-plus, they are on \$60 thousand-odd and less, probably \$35,000—\$500 per annum, \$10 a week. That is a lot of money to people on that small income.

What about the homeowner who replaces an inefficient resistive electric heater with a mounted split-system reverse-cycle heater? They have got savings of \$280 per annum. And if their landlord replaces an electric storage hot-water system with a gas-boosted solar system, they can save another \$450 a year. That is what this scheme delivers. It does not deliver more cost burdens on Canberra families. The statement that this actually does make it more difficult for low income Canberra families is blatantly wrong. It is wrong and is part of the scare tactics that this opposition are trying to create in this town. They are creating a straw man so that they can tear it down. The simple fact is that if you have a look at those figures that I have just quoted, if all of those incentives come off, then we are talking about low income families being almost \$1,500 a year better off.

If you are earning \$190,000 and you are buying your own home or own your own home, you do not care about that. You just cop it. But you do care about it if you are in a two-bedroom rental apartment. You do care about it if you have three kids and you are in a three-bedroom home and you have to rent it because you cannot actually get the start to save enough money for a deposit. If you are trapped there, you do care about it. If anybody comes up and says, "I am going to save you \$500 a year," you want to know about it. You want to encourage it. And quite frankly, if somebody in this place earning well over \$190,000 a year has to pay for it to support somebody to get that \$500 a year because they are earning \$35,000 a year in family income, bad luck! This is the sort of thing you should be supporting, instead of coming in here and being Toby Abbott-like, "No, no, no."

MR SMYTH (Brindabella) (12.28): I have just done some checking on who has such schemes. The minister was clutching at straws. His first story, he got wrong. So he had to come back with a new story. He invented the fact that Queensland currently have such a scheme. I am told South Australia, Victoria and New South Wales have such schemes. Queensland does not. And he should correct the record and apologise.

MADAM DEPUTY SPEAKER: Mr Smyth, I heard clearly the minister say "I believe." He did not actually claim that Queensland has the scheme.

Amendments agreed to.

Question put:

That the bill, as a whole, as amended, be agreed to.

The Assembly voted—

Ayes 10

Noes 5

| | | | |
|------------|---------------|------------|----------|
| Mr Barr | Mr Hargreaves | Mr Coe | Mr Smyth |
| Dr Bourke | Ms Hunter | Mr Doszpot | |
| Ms Bresnan | Ms Le Couteur | Mrs Dunne | |
| Ms Burch | Ms Porter | Mr Seselja | |
| Mr Corbell | Mr Rattenbury | | |

Question so resolved in the affirmative.

Bill, as amended, agreed to.

Papers

Mr Corbell presented the following paper:

Energy Efficiency (Cost of Living) Improvement Bill 2012—Government amendments—explanatory statement.

Sitting suspended from 12.32 to 2 pm.

Questions without notice

Canberra Hospital—emergency department data

MR SESELJA: My question is to the Minister for Health. In the *Canberra Weekly* published today, an article about the manipulated emergency department data quotes you in regard to your personal conflict of interest as saying:

... we've come out and told the community everything we know on Monday evening.

The article continues:

Except they hadn't. There was no mention of the family connection. And there was to be no mention during the Thursday interview ... The decision not to go public straight away with that second bit of information has been seen by many to be a serious error of judgment.

Minister, was your decision not to disclose your conflict of interest a serious error of judgement?

MS GALLAGHER: No, it was not. I have read the article too. People write what they want to write. I know how I have behaved since I was aware of this information. I have behaved honestly and with integrity. And yes, I have sought counsel about decisions that I might need to take, and those were around a perception of a conflict of interest—not a conflict of interest as the Liberal Party would like to peddle—and how to deal with that perception of a conflict of interest. And yes, I took several pieces of advice and it took a couple of days. When I had made my decision about how to handle it, I made that decision public.

MR SPEAKER: Supplementary, Mr Seselja.

MR SESELJA: Minister, were you being truthful on 27 April in an interview on ABC 666 when you stated that you were open and transparent on the issue, given the delay in disclosing the conflict of interest to the community?

MS GALLAGHER: Again it is not a conflict of interest. I have made a decision to avoid a perception of a conflict of interest situation occurring and my answers to every question I have been asked on this matter have been truthful at all times.

MR SMYTH: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: In the ABC 666 interview, no mention was made of a family connection. Why was there no mention made on 27 April, one day before you stepped aside from the investigation?

MS GALLAGHER: Because I had not made my mind up about how to deal with the situation, and I was taking advice.

MR SPEAKER: Mr Smyth, a supplementary.

MR SMYTH: Thank you, Mr Speaker. Minister, the *Canberra Weekly* article outlines that the conflict of interest disclosure occurred the day after Mr Hanson asked about it in a briefing. Why was the disclosure made only after Mr Hanson asked about it in a briefing?

MS GALLAGHER: Yes, we know that Mr Hanson thinks he uncovered this whole issue in December and just forgot to tell anybody about it. Then he knew about everything at Calvary and did not do anything about it. Then he also—

Mr Hanson interjecting—

MR SPEAKER: Mr Hanson, order, thank you!

MS GALLAGHER: I have to say that I know, Mr Hanson, that you are a very important person, but can I just say that you have had absolutely nothing to do with any decision I have taken over this matter from the beginning and it will remain that way until the end. I am sorry if that offends you. I know you think you are more important than you are—

Mr Hanson: Mr Speaker, on a point of order.

MR SPEAKER: Order! One moment.

Mr Hanson: I draw your attention to my understanding that members of the gallery are giggling at Ms Gallagher's response. I heard mirth. I would ask you to remind members of the gallery that it is not appropriate for them to be laughing or engaging in the debate.

MR SPEAKER: One moment, members. Mr Hanson, I will keep an eye on the gallery but I think that we cannot control human beings for having a reaction to the debate because I am sure they may smile when you say something. But if it becomes intrusive on the Assembly, I will deal with the matter.

Mr Hanson: Thank you, Mr Speaker.

MR SPEAKER: Chief Minister.

MS GALLAGHER: I have finished my answer, thank you.

Youth—homelessness services

MS HUNTER: My question is to the Minister for Community Services and relates to youth housing and homelessness. Minister, in a briefing with the Community Services Directorate in March 2012 I was advised that a log had been kept of concerns raised by participants during the recent modernising youth housing and homelessness consultations and ways that the Community Services Directorate had either answered or addressed these concerns. Minister, did the directorate keep a specific register of the concerns raised and ways that they were either answered or how these concerns were addressed?

MS BURCH: I thank Ms Hunter for her question. I am aware that you did raise this in the briefing with the directorate. It is my understanding that you were also informed that the directorate in this broad consultation, as we went through the change in youth homelessness, rightly invited comments and submissions back from the community sector. They were received and they would have been retained and considered in the ultimate consideration about how that model was to look.

Ms Hunter: On a point of order, Mr Speaker, I want to bring the minister to the point in the question. My question was: did the directorate keep a specific register of the concerns raised and ways that they were either answered or how they addressed these concerns? That was a specific question.

MR SPEAKER: Minister, let us come to the question, thank you.

Opposition members interjecting—

MR SPEAKER: Let us not argue. Let us keep going.

MS BURCH: I was coming to the question. It was about how the directorate kept carriage and record of those submissions and comments that were provided. Yes, they did. What did they do with those? They considered them in the final product, in the final program, and the result is in the homelessness service that we have today.

Mr Coe interjecting—

MR SPEAKER: Thank you, Mr Coe, your turn will come in a moment. Ms Hunter, you have the floor.

MS HUNTER: Minister, what were the concerns raised by the specialist homelessness providers, and how were they addressed?

MS BURCH: In the main, most of the comments supported the change that we have undertaken. We have brought in some new providers. We have brought in

CatholicCare, we have brought in Conflict Resolution Service, to name but a couple of organisations that are now very much at the core of providing youth homelessness services. That is in addition to Barnardos and, as I understand it, Vinnie's, or St Vincent de Paul.

In regard to how the directorate responded to those individual submissions, the directorate has a very open and collegiate relationship with many of its providers in town. It is my understanding that those matters that were raised as genuine concerns were responded to by the department. It is reflected in the final product, and, as I understand it, there were conversations between the directorate and many of the organisations that raised questions that were positive and not always in the negative.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Minister, was any risk analysis undertaken of the new model for the emergency accommodation network and provided to prospective tenderers when it was put out to tender?

MS BURCH: The new emergency network now is being delivered through the Salvation Army and the Canberra Youth Refuge. There has been a new model of service. Indeed, there are now clusters on the north side and the south side. I would say that inherent in making determinations about what was the appropriate model and what was put forward by the Salvation Army—an organisation of high regard—was to make sure that risk was a factor of that.

Ms Bresnan: On a point of order, Mr Speaker.

MR SPEAKER: Order! One moment, Ms Burch. Stop the clocks, thank you.

Ms Bresnan: Mr Speaker, my specific question was: was any risk analysis undertaken of the new model and provided to tenderers when it was put out to tender?

MR SPEAKER: Minister Burch, you have the floor. If you can come to the question that Ms Bresnan has asked, thank you.

MS BURCH: Again, I was coming to it. The Salvation Army is now providing the emergency accommodation network. It is very clear in the model that it is delivered and the risks associated with the model that it is delivering.

Members interjecting—

MR SPEAKER: Order, members!

MS LE COUTEUR: Supplementary.

Ms Gallagher interjecting—

MR SPEAKER: Thank you, members. Ms Gallagher.

Opposition members interjecting—

MR SPEAKER: Order, members!

Members interjecting—

MR SPEAKER: Members! Who would like to stay in the chamber today? Ms Le Couteur, you have the floor.

MS LE COUTEUR: Minister, how many cluster houses will make up the new emergency accommodation network? How many of these houses are to be built and when will they be on line?

MS BURCH: I would have thought that these were some of the questions you would have asked in the briefing with the Community Services Directorate. However, there are two clusters. There is one on the north side and one on the south side. As I understand, both clusters will include three houses. The Belconnen cluster of houses I think is being constructed and the others will come on line very shortly.

Canberra Hospital—emergency department data

MR HANSON: My question is to the Minister for Health. Minister, in the *Canberra Times* letters to the editor on Saturday, 28 April, Mr David Roth of Kambah writes:

When I complained to the director of nursing, Kate Jackson, I was told in writing that I had only waited for an hour and 40 minutes. This was contradicted by Dr Hollis, head of the Emergency Department, who conceded that I had waited nearly three hours.

Minister, are you investigating this alleged discrepancy in waiting times and can you explain the process for the entry and validation of emergency department waiting times?

MS GALLAGHER: Yes, that matter is being followed up.

MR SPEAKER: Mr Hanson, a supplementary.

MR HANSON: Minister, can you please explain the positions within the Canberra Hospital that have the ability to enter, validate and/or change emergency department waiting times?

MS GALLAGHER: Can I name the positions?

Mr Hanson: Yes.

MS GALLAGHER: I am happy to see if I can provide that on notice. There are only a select number of staff that can do that. I am happy to provide information as long as it does not necessarily disclose the names of individuals that are currently going through an investigation process.

MR SPEAKER: A supplementary, Mr Seselja.

MR SESELJA: Minister, how long do emergency department records in relation to waiting times remain open for entry of data, validation and/or alterations?

MS GALLAGHER: I understand that until Saturday, 21 April they were open for three days. That has been changed to one day. The reason they were open for three days was to allow for weekends and public holidays. If any data adjustments need to be made, that has been changed to one day.

MR SESELJA: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Seselja.

MR SESELJA: Minister, can you explain to the Assembly why Mr Roth was advised by Ms Jackson the waiting time was an hour and 40 minutes despite his actual wait being three hours?

MS GALLAGHER: No, I am not in a position at this point in time to do so.

Targeted assistance strategy

MS PORTER: My question is to the Chief Minister. Chief Minister, you recently released the final report on the targeted assistance strategy which you commissioned in November last year. Can you please advise the Assembly why this work was commissioned and the outcome of the work, and are you aware of any alternative views?

MS GALLAGHER: I thank Ms Porter for the question. It is a very important issue to be discussing in the Assembly—how we provide assistance to those people who need an extra helping hand.

I would at the beginning like to acknowledge the effort that went into this work by the panel chair, Gordon Ramsay; by Carmel Franklin from Care Financial Counselling; and also by Sandra Lambert, the former chief executive of the Community Services Directorate.

This strategy has been developed really to make sure that all of our assistance that is provided, whether it be through concessions or other means, is targeted to those who need it the most. This report came with 34 recommendations across 11 areas of government, business and the community sector, to consider how we can better target our assistance. It does include things like the ones we discussed yesterday—health, notably dental; housing; concessions; utilities; transport; and education and training.

The strategy also considers the importance of sharing information and makes a number of recommendations about how the government can work better and communicate better with the sector, and vice versa, and how we can share information between our existing networks.

Some of the recommendations will require government action and funding, whilst others seek the support of the community and business, such as identifying ways to encourage pro bono work from private dentists, and industry fact sheets to alert tenants to avenues of assistance should they find themselves in financial hardship.

Another important aspect of the strategy is the recommendations around flexible payment options for government fees and fines. Prior to the commissioning of the expert panel, I had already announced the government's decision to develop flexible payment options, acknowledging the impact that one large fee or fine can have on the financial stability of householders already living pay to pay. We have already moved to implement these changes through legislation, giving motorists an opportunity to apply for an extra six months to pay. That passed this morning.

There are also various recommendations about how to define financial hardship; what flexible payment options could exist for those to demonstrate financial hardship, including volunteer work to pay off fees and fines; creating incentives for people to pay off their debts; and the appropriate use of debt waiver and write-off to assist those in severe financial hardship.

Another recommendation is to develop flexible payment options for car registration that do not incur additional administration costs, for those who demonstrate financial hardship.

We know that those opposite would like to think that this validates their untargeted commitment around registration fees. However, the targeted assistance panel has made a very sensible suggestion to ensure that if we are going to provide a concession, that concession is targeted to those people who genuinely need that extra support and we do not just accept that everybody needs that assistance—because at the same time the money raised from government fees and charges actually goes back into providing more and more services to people across the community, whether it be in health, education, looking after our trees or emptying our rubbish. There are a whole lot of reasons why governments have to raise money, but there are also good reasons why we would seek to ensure that those who are doing it a bit tough pay less than those that can afford to pay.

MS PORTER: Supplementary.

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Chief Minister, what steps has the government already taken, ahead of the government's formal response, to assist those in our community struggling with their daily expenses?

MS GALLAGHER: The targeted assistance strategy builds upon the framework of assistance that has already been established by the government. The government currently provides assistance through a number of schemes and initiatives, the largest being the ACT concessions program. Through this program we have provided concessions on utilities, education and training, housing and land, health and wellbeing, and transport. The expert panel recognised the positive work that has been done through the outreach energy and water efficiency scheme which assists low and middle income people with information on energy efficiency as well as replacing old energy-sapping appliances with new efficient ones.

The panel commended also the expansion of the Foodbank, which Minister Burch has really led the charge on, providing low cost food to people at a range of locations, most recently in Hackett and in Lanyon. The new Foodbank at the Mura Lanyon centre in Tuggeranong has been supported by the government through an additional \$30,000 in funding. We will give serious consideration to the panel's suggestion that we find a way to help meet travel costs.

I have also launched a new assistance website, which I am sure all members will go to and have a look at. It really is a very easy to navigate website which gives a whole range of information, which you can search through different functions, about government and community-based health. It provides information on a range of rebates, concessions and assistance available as well as advice on where to go for help for things like childcare rebates, financial counselling, funeral assistance and even to obtain free meals.

MR HARGREAVES: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: Chief Minister, how does this strategy fit with the government's commitment to evidence-based social policy?

MS GALLAGHER: I have always been a believer in evidence-based social policy. That is why we commissioned this work and asked—

Mr Hanson interjecting—

MR SPEAKER: I am having trouble hearing the Chief Minister.

MS GALLAGHER: Yes, I am having trouble hearing myself, Mr Speaker, but it does not matter.

Mr Seselja: Those voices in your head.

MS GALLAGHER: No, it is not the voices in my head; it is the voices in all of your heads over there, squabbling. Don't worry about my head, Mr Seselja.

MR SPEAKER: Order! Let us just continue.

MS GALLAGHER: Don't you worry about it at all.

Members interjecting—

MR SPEAKER: Thank you, members. Enough!

MS GALLAGHER: It appears that Mr Hanson worries a bit too much about me, though, Mr Speaker.

MR SPEAKER: Let us go to the question, Ms Gallagher.

MS GALLAGHER: I think he is a little bit obsessed.

Members interjecting—

MR SPEAKER: Members, enough!

MS GALLAGHER: A little bit obsessed.

Mr Seselja: It's because you're a victim.

MS GALLAGHER: Oh, a victim!

MR SPEAKER: Order! One moment, Chief Minister. Sit down, thank you. Members, we are now 45 seconds into the question and we have heard nothing from the Chief Minister as an answer. Let us cut down on the interjecting. Chief Minister, let us just focus on the question at hand, thank you.

MS GALLAGHER: Mr Speaker, I would just say that I do not see myself as a victim. I am not sure why the Leader of the Opposition would be interjecting that I am a victim. I certainly do not see myself as one, not even a victim of them.

MR SPEAKER: Chief Minister, the question, thank you.

MS GALLAGHER: The evidence-based social policymaking is important because it means that, with the resources that the government have available and the revenue that we have available, where there is at times very little discretion about how you apply those funds, and where you are going to try and target funds to giving people an extra helping hand, you want to get the best outcome, not just for those individuals but for the long run as well. That is where you need to look at the evidence. You need to see what is going to work the best. That is why some of those energy programs have really delivered significant gains in terms of reductions in costs for utilities. The idea that we should just have a blanket approach to some of the pressures people have with their living costs is just not sustainable.

MR SESELJA: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Seselja.

MR SESELJA: Chief Minister, at which of level of family income do you believe families no longer deserve to get concessions in relation to periodic payment of rego? At which level of family income do you believe families should have to pay the \$100 penalty?

MS GALLAGHER: I think the Leader of the Opposition shows with that question his complete lack of insight and ignorance of the matters at hand and shows that he has not actually read the targeted assistance strategy, because that seeks to apply a new definition of “financial hardship” that is not necessarily about what a family’s income might be at any period of time but that accepts that if you are in financial hardship, the government should be able to respond flexibly to meet your needs.

I would love this to turn into a little class debate about the who-gets and the who-doesn’t-get, and that is what Mr Seselja was trying to generate here. But I am not going to go down that path. What I am going to say is that the members of the Assembly and leaders of this place I think should accept that if a family, an individual, a child, is in financial hardship, then it is our responsibility to make sure our systems are able to respond and provide them with the support they need.

That might mean for a short period of unemployment. It may mean that there has been an unexpected health cost. It may mean a large appliance had to be bought which meant they could not make another payment. There is a whole range of scenarios; it is not necessarily based on income. This is about targeting your assistance to those people when they need it—when they need it. I note the lack of interest from those opposite about a genuine discussion on this matter.

Canberra Hospital—emergency department data

MR SMYTH: My question is to the Minister for Health. Minister, on what date did you become aware of the conflict of interest that forced you to step aside from the investigation of the corrupted figures in the emergency department and the Directorate of Health, and when did you inform the Health Director-General of this conflict?

MS GALLAGHER: The answer to that question is I do not believe there is a conflict of interest. I have made the decision to hand over responsibility for the investigations into this matter based on a perception of a potential conflict of interest. I know you do not like it, but that is the reality. As I said in my ministerial statement—

Mr Seselja interjecting—

MS GALLAGHER: Mr Seselja, you have had your chance.

Mr Seselja interjecting—

MR SPEAKER: Mr Seselja!

MS GALLAGHER: I have answered the question.

MR SMYTH: A supplementary.

MR SPEAKER: Before you take the floor, Mr Smyth—

Ms Gallagher interjecting—

MR SPEAKER: Order! Chief Minister, please. Members, I do not expect the Chief Minister to be continually questioned while she is trying to give an answer. That is what the supplementary questions are for. I will start dishing out warnings shortly because there is a lot of interjecting going on too.

Mr Seselja: On the ruling, Mr Speaker—

MR SPEAKER: It is not a ruling.

Mr Seselja: We should not have to ask supplementary questions that are exactly the same as the first question because the Chief Minister refuses to answer. She still refuses to answer and that is why we are asking her to actually answer the question: when did she become aware?

MR SPEAKER: Thank you, members. We will proceed with Mr Smyth's supplementary question.

MR SMYTH: Minister, on what date did you seek legal advice regarding the conflict of interest or the perception of conflict of interest that forced you to step aside from the investigation?

MS GALLAGHER: I sought advice on this matter from Tuesday, 24 April and I finalised my decision on Friday morning, following discussions with my colleague.

MR HANSON: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, can you explain the basis for the legal advice that you state informed your decision to disclose to the community this potential conflict of interest?

MS GALLAGHER: The legal advice and the discussions I had presented me with a range of options. One of them was to do nothing, as I have done nothing wrong. I am the Minister for Health. Normally, all matters relating to my portfolio would be managed by me. There was an option of standing aside as health minister that I put on the table should this be the case, and I discussed that option.

There were options in between. Ultimately, it was a decision that only I could make. I made the decision that in relation to a potential for a conflict of interest, for those matters that dealt with that issue, they should be handled by another minister and I asked the Deputy Chief Minister to take on that responsibility.

In short, there was a range of options, as you get with legal advice. It was a matter of me—because this is an ethical decision. There is not, as I said in my ministerial statement, a textbook. There is not anything that says what you should do in these situations. In fact, I have not been faced with a situation like this before and at the end of the day it was my judgement after taking advice from trusted advisers and some legal advice.

MR HARGREAVES: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: In the context of conflicts or perceived conflicts of interest concerning connections with family members, is there an inconsistency between the opposition's insinuation regarding the health data matter and the fact that the Leader of the Opposition's chief of staff, ousted by McLeod for dereliction of responsibilities under the enterprise agreement relating to the attendance records—

Mr Smyth: On a point of order—

MR HARGREAVES: He is the brother-in-law of that member.

MR SPEAKER: Mr Smyth, on the point of order.

Mr Smyth: Firstly the preamble and, secondly, the relevance of—

MR HARGREAVES: There was no preamble.

MR SPEAKER: There was preamble.

Mr Smyth: most of the question to the initial question.

MR SPEAKER: Yes, there was some preamble. On occasion when the member gets to the question, by the time I have worked out there is a preamble, I let it go. It is not ideal but there is a bit of flexibility. Mr Hargreaves, the reference to Mr Seselja's office was irrelevant. If you can reframe your question to the Chief Minister.

MR HARGREAVES: Mr Speaker, each of the three questions, the original and the two supplementaries, were prefaced by the notion of the conflict of interest around a family member. In fact, by my records, that was the fifth in a row and that was why I prefaced my question, not a preamble, by saying to you that it is in the context of that conflict of interest. I want to know whether there is an inconsistency between that and the fact that the chief of staff of the Leader of the Opposition's office is his brother-in-law and that is a conflict of interest in the business of McLeod prior to that. That is the end of my question.

Mrs Dunne: On a point of order—

MR SPEAKER: Thank you, members. Mrs Dunne has the floor.

Mrs Dunne: I would submit that Mr Hargreaves's question is out of order because the question that he asked, apart from being entirely inappropriate, is not within the ministerial responsibility of the Chief Minister.

MR HARGREAVES: On the point of order, I was just asking is there an inconsistency? Is it a fact that there are inconsistencies?

MR SPEAKER: One moment. This is on a point of order. Mr Hanson.

Mr Hanson: On a point of order, given that Mr—

Members interjecting—

MR SPEAKER: Members, enough! The next person that opens their mouth and does not have the call will be put out of this room. Mr Hanson, you have the call.

Mr Seselja interjecting—

MR SPEAKER: Mr Seselja!

Mr Hargreaves interjecting—

MR SPEAKER: Mr Hargreaves! Mr Hanson has the floor. No? One moment, members.

Members interjecting—

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

Mr Hanson interjecting—

MR SPEAKER: Mr Hanson, I have asked. I am going to allow the Chief Minister to take the question very specifically on whether she considers there is an inconsistency on the conflict of interest question. The line of questioning was about conflict of interest. Mr Hargreaves has asked about the standards for conflict of interest and on that basis I will allow the question.

Mr Seselja: On a point of order, Mr Speaker, you are saying that the Chief Minister is entitled to be asked about inconsistencies in relation to the position of the Liberal Party. I am asking you, given your previous rulings to us in this place, what part of the administrative orders allows that to be asked of her.

MR SPEAKER: It is actually covered under the LA(MS) Act, I believe, and that is the basis on which I think that there is some scope, a narrow scope, for the Chief Minister to be asked this question. Chief Minister, if we can keep the focus.

MS GALLAGHER: My only answer to that is that these are matters that individuals need to resolve. There is no simple answer to whether or not there is a perception of a conflict of interest.

Mr Hanson interjecting—

MR SPEAKER: One moment, Chief Minister. I have made my views clear. You are now on a warning, Mr Hanson, and very lucky you are still in the chamber. I have asked for the interjections to stop and I have indicated that I will be going straight to standing order 203 if things do not settle down in here. Chief Minister.

MS GALLAGHER: Thank you. These are individual decisions that cannot be made in a blanket way. I have made mine in relation to the ethical issue that was presented to me. I cannot speak for other members.

Building—sustainable uses of materials

MS LE COUTEUR: My question is to the Minister for the Environment and Sustainable Development and relates to sustainable uses of materials for building. The Building Act 2004 requires the minister to make a new disallowable instrument setting out guidelines for the sustainable use of materials for building. Eight years later the sustainable materials regulation is still not listed on the legislation register. In October 2010 the government said ACTPLA was involved in research run by the Building Products Innovation Council. The Building Products Innovation Council released the results of its research in February 2011. Minister, do the long awaited ACT guidelines now exist?

MR CORBELL: I thank Ms Le Couteur for the question. I will need to take some advice from my directorate on that matter as I am not familiar with the specifics of the particular answer that Ms Le Couteur refers to in the context of her question.

MR SPEAKER: Ms Le Couteur, a supplementary question.

MS LE COUTEUR: During the long wait for the guidelines—I think that would have to be true given the—

MR SPEAKER: The question, Ms Le Couteur.

MS LE COUTEUR: Sorry. How is the government promoting the sustainable use of building materials in the ACT?

MR CORBELL: We undertake a range of measures to engage with industry when it comes to promotion of the understanding of the principles of sustainability in the development industry. Those efforts are ongoing.

MS BRESNAN: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. Minister, what have been the impacts on the sustainability of ACT buildings during the delay of the guidelines?

MR CORBELL: I do not think any delay in guidelines would have had any impact whatsoever. Guidelines are simply another educative tool available to the industry to allow it to improve the sustainability of its built form. That will vary across the industry. It will vary depending on the needs and desires of clients. It will vary depending on the knowledge and expertise of building practitioners and architects.

That is why in some instances we see some excellent built outcomes across the territory. In other instances we see less than optimal outcomes in terms of the sustainability delivery of those projects. The government will continue to work with industry and engage with them in improving their knowledge and understanding of sustainability principles, including issues around the types of building products that are used in development.

University of Canberra and Canberra Institute of Technology

MR DOSZPOT: My question is to the minister for education. In August last year, the former education minister, Mr Barr, said, in respect of a proposed merger between the University of Canberra and the Canberra Institute of Technology: “The status quo for the CIT and UC is not an option.” Minister, how did we go from the status quo not being an option to now being a policy?

DR BOURKE: I thank the member for his question. Since that time there have been some game changing announcements from the commonwealth—significant announcements. Firstly, the Prime Minister has announced that she wants 375,000 extra Australians to get post-secondary qualifications. Secondly, there has been the announcement of an extra \$1.75 billion in vocational education and training reform. Thirdly, there was the announcement of 60,000 HECS-style scholarships so that people embarking upon diploma courses do not have to pay up-front fees. Then, of course, we had the recent COAG announcements—\$28 million for vocational education and training in the ACT. This is going to—

Mr Smyth interjecting—

MR SPEAKER: Mr Smyth, I have asked; you are now on a warning for interjecting.

DR BOURKE: This is going to be targeted to the traditional trades, where we have significant skills shortages in the fluoro collar area. We are going to be looking for better outcomes in vocational education and training for people with a disability, better outcomes for Indigenous people, as well as reducing the 20 per cent of Canberrans who do not have a post-secondary qualification. Those are the announcements that have come out since August last year, and that is why the position has changed.

MR SPEAKER: Mr Doszpot, a supplementary.

MR DOSZPOT: I hope you believe all that. Minister, will you advise the Assembly how much the process that we went through to arrive at this non-decision has cost to date, and will you table the relevant documents that highlight how much this has cost?

DR BOURKE: I thank the member for his question. This was an important process that required a thorough consideration. I understand that less than \$60,000 has been expended. These matters are commercial in confidence, and I do not propose to table it.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, can you remember whether or not you had met with Professor Bradley to discuss the UC-CIT merger and, if so, when did you meet with her?

DR BOURKE: This is a question that has been previously asked. At that time the tag line that was included with it was that officials from my directorate also met with Professor Bradley. At that time I took that question on notice because, whilst I am aware of who I have met, I may not necessarily be aware of who members of my directorate have met.

Opposition members interjecting—

DR BOURKE: I need to get to the question, of course, and the answer is: no, I have not met with Professor Bradley.

MR SPEAKER: Ms Hunter, a supplementary question.

MS HUNTER: Minister, you have just said that these game-changing events have happened since August last year. So why did you put out a media release in December of last year saying that the ACT government was going to be setting up a third institution?

DR BOURKE: The UCIT announcement last year was the recommendation of the steering group that was established to consider the Bradley report. Since then there have been, as I said, a range of announcements. The future is important.

We should also reflect on the Greens policy on this topic. As recently as 28 March this year the Greens stated unequivocally that on the topic of further University of Canberra and CIT collaboration—I quote Ms Hunter:

I understand that these other processes have come over the top with COAG, with the federal government—

Ms Hunter: Point of order.

MR SPEAKER: Order! One moment, Dr Bourke. Point of order, Ms Hunter.

Ms Hunter: My question was actually asking the minister, given he is saying these game-changing events have happened since August last year, why he put out a media

release in December about a third institution—not about what the Greens policy is. I am asking him why he took the action he took.

MR SPEAKER: Yes, minister, if you can focus on the matters for which you are responsible, thank you.

DR BOURKE: The announcements have been coming thick and fast since Christmas. The announcement that I made was in December last year.

Transport—infrastructure initiatives

MS BRESNAN: My question is to the Minister for the Environment and Sustainable Development and concerns the city to Gungahlin transit corridor study. Minister, you have announced that cost of the bus rapid transit or light rail transit projects will be approximately \$300 million to \$360 million and \$700 million to \$860 million respectively. However, there are significant opportunities to reduce the costs to the ACT through options such as value capture or private-public partnerships, and the benefits and avoided future costs are also worth many millions of dollars. Minister, what modelling have you done on the opportunities to reduce the costs to the ACT, and will you also publicise and consult on these reduced costs?

MR CORBELL: I thank Ms Bresnan for the question. It is important to clarify that, whilst there are opportunities to offset costs, there are not, in the government's view, opportunities to reduce the cost of the delivery of the project. That might be a somewhat semantic difference, but it is an important one, because the delivery of the infrastructure has a particular cost, depending on the option that is identified, and it is in the order of the figures quoted by Ms Bresnan in her question.

In terms of offsetting costs through other measures, the government has undertaken already a range of analyses about what will be the impact on development along the corridor as a consequence of the delivery of certain transport options, whether it is bus rapid transit or light rail. That is helping to inform the benefit-cost ratio of the project analysis, and that will inform future government decision making about what is the best option to pursue along the corridor.

The government also expects that it will need to commence shortly work on an assessment of financing options for the different infrastructure options along the corridor so that we have a good selection of choices to make in terms of how projects and which particular project can be delivered in what manner in terms of financing and in terms of impact on the territory's budget.

MR SPEAKER: Supplementary, Ms Bresnan.

MS BRESNAN: Yes, Mr Speaker. Minister, when will you announce conclusively whether the government will support bus rapid transit, light rail transit or neither? Will you guarantee this date will be prior to the 2012 election?

MR CORBELL: I am not in a position to commit the government to a decision that is not yet taken in relation to this matter, but the government is closely examining all

of its options and I expect there will be future announcements during the term of this Assembly.

MR COE: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Coe.

MR COE: Minister, do you agree with the former Labor minister for transport that light rail would potentially turn the only profitable bus routes into unprofitable rail routes?

MR CORBELL: Not necessarily.

MR SPEAKER: Ms Le Couteur, a supplementary.

MS LE COUTEUR: Minister, when will you announce the funding plan and a time line for the selected project, and will you guarantee that this will be prior to the 2012 election?

MR CORBELL: I thank Ms Le Couteur for the question. I think I have answered that question. I refer her to my answer to Ms Bresnan.

Education—excellence and enterprise policy

MR COE: My question is to the Minister for Education. The government's excellence and enterprise policy released last year says in respect of educational choice, "We recognise that educational choice is healthy and ACT parents are able to choose schools on the basis of family beliefs, values and circumstances."

How does that equate with the Labor Party conference resolution supported by your Chief Minister that, and I quote: "The growth of private education has facilitated the fragmentation of Australia's children along ethnic, cultural and particularly religious lines"? Minister, which sentiments do you support and did you vote for the motion at the Labor conference?

Mr Corbell: Point of order. Mr Speaker, the Minister for Education is not obliged to answer questions in this place when it comes to activities as a member of the Australian Labor Party. Ministers are obliged to answer questions here in terms of their responsibility as a minister, not about what they do as a member of the Australian Labor Party.

Members interjecting—

MR SPEAKER: Ms Gallagher and Mr Hanson, thank you!

Mr Seselja: On the point of order, the question is referencing the excellence and enterprise policy, which clearly the education minister is responsible for. Other external things that might impact on those policies are often asked about. Whether the minister has responsibility for that aspect is not relevant because we are asking him

whether or not the two match up. Therefore, it is highly relevant for him to answer whether or not that particular policy, which was voted for by the Chief Minister, forms part of their excellence and enterprise policy.

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

MR SPEAKER: Yes, Mr Hargreaves.

Mr Hargreaves: The preamble may have addressed that but the actual question said, “Did the minister vote a certain way at an ALP conference?” It was quite specific.

MR SPEAKER: Thank you, members. On the point of order, I think there is a well recognised form in this place that ministers are not required to answer questions about their party matters and *House of Representatives Practice* is quite clear about that as well. Mr Coe, I would invite you to reframe your question. You are clearly able to ask about the excellence framework.

MR COE: Sure. Minister, does the government’s excellence and enterprise policy encompass a view that the growth of private education has facilitated the fragmentation of Australia’s children along ethnic, cultural and particularly religious lines?

DR BOURKE: The answer to this question is that it is our policy to encourage choice—choice by Canberra parents—and to facilitate that. That is what we do. There has been quite a bit of talk around here about the support that this government has been providing to Catholic and independent schools. Let me say that this comes off an historical low that was enforced by the previous Liberal government. We have progressively sustained increases beyond CPI over the last 10 years from just on \$30 million to now just over \$51 million of support for Catholic and independent schools in the ACT.

Mr Coe interjecting—

Mr Doszpot interjecting—

MR SPEAKER: Mr Coe! One moment. Stop the clock, thank you. I think the sort of comments that I am hearing across the chamber, like, “What are you on?” and “What did you have for breakfast?” are entirely unnecessary. I have given my views in this place before that personal derogatory comments are not okay. Mr Doszpot, you have a warning for those sorts of comments and, Mr Coe, you have a supplementary in a moment and you should not be interjecting. Dr Bourke, you have the floor.

DR BOURKE: They are clearly not interested in my answer, Mr Speaker.

MR SPEAKER: Mr Coe, you have a supplementary now.

MR COE: Minister, given those comments in respect of choice, why does the government fund ACT non-government schools at the lowest rate of all state and territory governments in the country?

DR BOURKE: I thank the member for his question. I do not think he actually heard what I was saying last time because he was too busy interjecting. What we are doing is building off an historical low. We are progressively increasing our support for independent and Catholic schools, and we have done that consistently over the last 10 years.

MR SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what steps are you taking to deliver on the excellence and enterprise policy in respect of enhanced local decision making?

DR BOURKE: Decision making in schools is part of our policy for school empowerment. This is primarily manifested in our desire to empower principals, the school leaders, to be able to make important decisions in their schools—decisions about staffing, giving principals a say in the teachers that work in their schools. This is I think one of the keys to a successful education system—we can see that coming out of other educational systems elsewhere in the world that are very successful—giving principals a say in the teachers that work in their schools.

MR SPEAKER: Supplementary, Mr Doszpot.

MR DOSZPOT: Minister, what is meant by “advancing distinctive public secondary schools” as highlighted in the policy document?

DR BOURKE: I thank the member for his question. I am sure if he had read the document he would understand.

Art—public

MRS DUNNE: My question is to the Minister for the Arts. Minister, I refer to your answer in the last sitting to a supplementary question from Mr Seselja on public art. In your answer you claimed that public art will “increase property values”. Minister, what research can you point to either in Australia or overseas that indicates that public art will increase property values in nearby suburbs?

MS BURCH: I thank Mrs Dunne for her question. Given that she is on record for having to come back and apologise for misquoting me, I have no faith in her question and her premise.

MR SPEAKER: Mrs Dunne has a supplementary.

MRS DUNNE: Minister, what research has been done by the ACT government or others on the impact of public art on Canberra’s property values, and can Canberrans expect to see increases in unimproved capital values and, therefore, rates as a result of the rollout of the public art program?

MS BURCH: As I said, I have no faith in the premise of her argument, but I am happy to have a conversation on public art. Public art, what I am hearing from Mrs Dunne—

Mrs Dunne: On a point of order, Mr Speaker, my question was specifically about increasing property values and research that the ACT government might have done. It was not an invitation for a free-for-all on public art. It was a very specific question about property values.

MR SPEAKER: Yes, the point of order is upheld, Minister Burch. Let us not have a general policy discussion about public art; let us focus on the question that Mrs Dunne has asked about property values, thank you.

MS BURCH: As I have stated, Mrs Dunne has had to come here and apologise for verballing me before, so I do not accept the premise of her question.

Mr Hanson: Mr Speaker, on a point of order, the minister is essentially calling Mrs Dunne a liar. Mrs Dunne has asked a very specific question, and her response is to say, “You can’t believe anything that Mrs Dunne says.” I think that is close to the bone, and I ask that Ms Burch retract those statements that essentially Mrs Dunne cannot be trusted and answer the specifics of the question.

MR SPEAKER: Stop the clocks, thank you. On the point of order, Mr Corbell.

Mr Corbell: I think it is reasonable for the minister to say that she has questions about the accuracy of the question and answer it in the way she has chosen to do so. No aspersion has been cast on Mrs Dunne; it is a simple statement of the minister’s belief based on what she has heard in the question.

Mr Smyth: On the point of order, Mr Speaker, the question is: what research has been done by the ACT government or others on the impact of public art on Canberra property values. It is not quoting; it is not doing anything except asking a question about a government activity. How can you not believe the question? It is a spurious defence, and she should answer the question.

MR SPEAKER: Thank you, Mr Smyth. That is why I upheld Mrs Dunne’s point of order, because I was asking the minister to focus on the matter at hand. I sought to stop the minister talking about her views on Mrs Dunne’s question. Minister, it is a very specific question. Would you like to add any further comments or simply resume your seat?

MS BURCH: I am happy right here, Mr Speaker.

MR SPEAKER: Mr Seselja, you have a supplementary.

MR SESELJA: Minister, what impact will the public artwork on the corner of Drakeford Drive and Marconi Crescent in Kambah, known to some as the “orgy of goldfish”, have on property prices in that suburb?

MS BURCH: It is actually *The descending moths*, Mr Speaker. There are some that consider it to be a great asset to the community. They do in fact like it. It was opened recently by Auntie Agnes, a senior elder of the Aboriginal community, who was

pleased as Punch that she had the opportunity to open that and to have the link to such a story of significance for our Indigenous community. To have the moths, the bogong moths—

Mr Seselja: A point of order, Mr Speaker.

MR SPEAKER: One moment, Ms Burch. Stop the clocks, thank you.

Mr Seselja: As interesting as all of this is, the question again was quite specific. It was about property values as a result of this particular sculpture, and I would ask you to ask the minister to be directly relevant.

MR SPEAKER: Yes. Minister, if we could focus on Mr Seselja's quite specific question, thank you.

MS BURCH: I think the property values benefiting from *The descending moths* will be apparent over time.

MR HARGREAVES: Supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: In the context of those property values, is it true that the corner of Drakeford and Marconi has got the Kambah Village on one site and a petrol station on the other; on the diagonal corner it has in fact got a rather large religious institution and on the other it has just got the back yards of a couple of places? Is that true or is that false?

Mrs Dunne interjecting—

MR DOSZPOT: Supplementary, Mr Speaker.

Mr Hargreaves: Marconi and Drakeford, he said.

MR SPEAKER: Mr Hargreaves has just asked a question. We need to give the minister the chance to answer.

Mrs Dunne: You know your electorate well, Johnno.

Mr Hargreaves: I do. I do actually.

MR SPEAKER: Order, members! The minister has the floor.

MS BURCH: If the question was about what is on the corner of Marconi and Drakeford, I think Mr Hanson may be correct—sorry, Mr Hargreaves may be correct.

Mr Hargreaves: Mr Hanson? I ask the minister to withdraw that, Mr Speaker. That is an insult that even I do not have to wear.

MS BURCH: I withdraw any reference to you as Mr Hanson.

MR SPEAKER: Mr Hargreaves, resume your seat.

Mr Hargreaves: I don't have to wear that insult, Mr Speaker.

MR SPEAKER: Mr Hargreaves, you are now on a warning for unnecessary conduct in question time. Mr Doszpot, I am afraid that we have had all the supplementaries we can on this question.

Business—policy

MR HARGREAVES: My question is to the Minister for Economic Development. Can the minister please outline to the Assembly what the government is doing to create the right business environment for businesses in the ACT?

MR BARR: I thank Mr Hargreaves for the question. Members would be aware that this week the government released our business development strategy: *Growth, diversification and jobs*. The strategy is aimed at growing the local economy and supporting local businesses and local jobs. I know Mr Hargreaves's very strong passion for the growth of business in Tuggeranong, and there are many elements contained within the strategy that will be very good for the growth of employment in the Tuggeranong Valley in particular.

The government is seeking to play its role in creating the right environment for businesses to grow and flourish. We are doing this through a number of key initiatives, the first of which is to provide a substantial payroll tax cut to ACT businesses. Last night the Chief Minister announced that the government will raise the threshold at which businesses will become liable for payroll tax from \$1.5 million to \$1.75 million, effective from 1 July 2012. This will give the ACT the highest payroll tax threshold in the nation and will also make the ACT the lowest taxing jurisdiction for small and medium sized enterprises. In fact, all business with a payroll of up to \$4.7 million will be better off being located in the ACT.

Under the government's tax policy an extra 115 ACT businesses will no longer pay any payroll tax. This will allow those businesses to employ up to five extra people before being eligible for payroll tax, so remission. This will create the conditions to allow for an additional 575 jobs to be created by the private sector. Additionally from the increase in the threshold, 1,865 ACT businesses will receive a tax cut, reducing the costs for private sector employers to take on new employees. This is undoubtedly great news for small and medium sized enterprises in the territory. It reduces their tax burden, it allows them to grow, and it makes Canberra an even better place to do business.

The government is also committed to making it easier for small and medium sized enterprises in Canberra and the region to win business with the territory government. The government recognises the importance of supporting our local and regional SMEs and will be introducing new evaluation criteria for goods and services tenders that put

a weighting against whether the tenderer is local or has involvement with local businesses. This is a show of faith with Canberra businesses and will encourage further creation of local jobs. It will provide opportunities for our local SMEs to grow and to gain valuable experience in government work, giving them the opportunity to win tenders with other governments both in Australia and overseas.

To encourage all Canberrans to follow this lead and support our local businesses, the government will embark on a social media buy local campaign. This campaign, which I will be kicking off very shortly, will encourage Canberrans to look first to their local retailers and businesses when making purchase decisions. It is about prompting people to invest in our own quality goods and services and to invest in our city's ongoing growth and prosperity.

The government will also be expanding a range of existing services such as Canberra Business Point and establishing programs within the Economic Development Directorate to help small businesses to have a continuing and meaningful dialogue with government. It is essential that government and businesses work together and that businesses have a visible point within government to go to for help and advice. The government is getting on with the job of assisting Canberra businesses to create more jobs for Canberrans.

MR SPEAKER: A supplementary, Mr Hargreaves.

MR HARGREAVES: Yes, Mr Speaker. Minister, can you please expand on what COAG and the ACT government are doing to reduce red tape?

MR BARR: The government has announced that we will be forming a red tape reduction panel to look at business regulation in the territory. The focus of the panel will be on municipal regulatory issues. This is an important piece of work and one that has been called for specifically by the chamber of commerce. We know that there are regulations that can be reformed to make life easier for business and, indeed, easier for government. Over the coming weeks the government will be making further announcements in relation to this piece of work.

At the micro level work will be done in addition to the extensive program of reform that the ACT has already successfully progressed with the commonwealth and, of course, the new reform directions that were agreed to at the 13 April meeting of COAG.

In relation to the seamless national economy agenda, 27 deregulation priorities have been progressed, such as occupational health and safety, eight areas of competition reform, including energy markets and national transport policy, and a range of additional regulatory reforms have been undertaken.

Jurisdictional progress is reported publicly and also attracts milestone and completion payments to the states and territories. The ACT is eligible for commonwealth reward payments of approximately \$3 million in the 2011-12 fiscal year, rising to \$4 million in 2012-13, subject to the completion of the scheduled milestones around the 27 deregulation priorities.

Prior to the last COAG meeting on 13 April and the national business advisory meeting the day before, the Chief Minister held a roundtable of local business leaders to discuss local reform issues and the priorities that the Chief Minister took to COAG. Following discussions at the COAG business advisory forum held the day before, COAG agreed to progress six priority areas for major reform around addressing duplicative and cumbersome environmental regulation and streamlining the process for approvals of major projects.

MR SPEAKER: Yes, Mr Seselja.

MR SESELJA: Minister, how will the large increase in the lease variation charge, moving up to over \$50,000 for most units, affect business investment in the property sector and jobs in the property sector?

MR BARR: Markets adjust and what we will see is some of the speculative—

Members interjecting—

MR SPEAKER: Thank you, members. Mr Barr has the floor.

MR BARR: Thank you, Mr Speaker. Some of the speculative activity that was occurring in relation to those areas of land within the territory that were zoned for redevelopment were seeing, quite frankly, some very large amounts being paid for that land and, as a result, we were seeing significant upward pressure on housing prices.

In fact, in relation to the implications of the lease variation charge—I remind Mr Seselja because he often forgets this; he is the Tony Abbott of Canberra but without even a skerrick of Tony Abbott's significant economic credibility—Mr Seselja would be aware that these charges have been in place since the 1970s. Markets adjust. In fact, the biggest impact on the availability and the nature of property redevelopment will be zoning decisions taken in relation to the territory plan.

Members interjecting—

MR SPEAKER: Members, thank you. Mr Barr has the floor.

MR BARR: In fact, the decisions that have been taken by government, for example, to remove the moratorium on redevelopment north of Wakefield Avenue and Macarthur Avenue into Dickson and Lyneham, have provided additional opportunity for urban renewal to take place in areas identified by the government for such renewal. Town centres, transport corridors, group centres and around local centres is where we want to see urban renewal occur, and the government's planning policies and tax policies are aligning to achieve those outcomes.

MR SPEAKER: Ms Porter, a supplementary.

MS PORTER: Minister, can you please outline what effects these reforms could have—

Opposition members interjecting—

MR SPEAKER: Order, members! I cannot hear Ms Porter asking her question, and I remind members that four members of the chamber are on a warning. Ms Porter, you have the floor.

MS PORTER: Minister, can you please outline what effects these reforms could have on the ACT economy?

MR BARR: The reforms that I have announced the government is pursuing will have a significant impact to assist the ACT economy to move through what will undoubtedly be a difficult time following next week's federal budget. There is no doubt the commonwealth government, the single largest player in the territory economy, will be further contracting expenditure in this economy. Therefore, it is essential for there to be continued economic and jobs growth in this city for the ACT government and the private sector to continue to pursue policies and actions that will enable further economic growth. The reforms that we have announced and the further reforms that will be announced in the lead-up to the territory budget and the budget itself will be geared to respond to those challenges.

The ACT economy is generally countercyclical to the national economy given the significant role the commonwealth government plays. The massive investment boom that is coming for Australia is heading north and west of here. The commonwealth government have indicated that they will be retracting expenditure, and we see that in their stated goal for a surplus. The impacts of that were welcomed in the context of a Reserve Bank announcement of a 50 basis point cut to interest rates. That will benefit the territory economy, but the time now is for the private sector and for the territory government to step up to address the challenges that this community will face as the commonwealth retracts its level of economic activity in the ACT.

That is the challenge we have before us. The government and the business community are going to work together. I hope other parties will join us in accepting that challenge.

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

Personal explanation

MRS DUNNE (Ginninderra): Mr Speaker, I seek to make a statement under standing order 46.

MR SPEAKER: Do you believe you have been misrepresented, Mrs Dunne?

MRS DUNNE: I believe that I have been misrepresented.

MR SPEAKER: Yes. You have leave, Mrs Dunne.

MRS DUNNE: In question time today I asked Minister Burch about an answer to a question without notice that she gave to Mr Seselja on public art. I said:

In your answer you claimed that public art will "increase property values".

Mr Seselja asked that question on 29 March. Ms Burch then impugned my honesty by saying that I had a record of not getting things right and she did not believe what I said. I will quote part of Ms Burch's answer to Mr Seselja's question:

In different contexts—

this is in relation to public art—

it assists society in many ways. Public art can build a sense of place and ownership, stimulate thought and dialogue, humanise urban spaces, educate in healthcare settings—

I will not comment on that—

increase property values and stimulate tourism and local economic development.

It is in fact the case that, in answer to Mr Seselja's question, Ms Burch did say that public art increased property values. My questions were legitimate in asking on the basis of what research she came to that conclusion. I put on the public record that Minister Burch refused to answer or cannot answer that question.

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): I did check the *Hansard*, and you will see that there are a few words before that where I made reference to an article in the *Canberra Times* on 27 March. I quoted from where a commentator made reference. I will quote:

Public art's benefits are extensive. In different contexts ...

Mrs Dunne: I just said that.

MS BURCH: This is from the article. I was quoting the article, Mrs Dunne:

In different contexts it assists society in many ways. Public art—

Members interjecting—

MR SPEAKER: Order! Mrs Dunne got a silent hearing. Let us give Ms Burch the same courtesy.

MS BURCH: Mr Speaker, *Hansard* shows that I made reference to this article. The quote was from the art commentator, Philip Nizette, who is a landscape architect. I refer anyone who wants more to the *Canberra Times*, where they will see those words word for word in his article.

MR SESELJA (Molonglo—Leader of the Opposition): Given Ms Burch—

MR SPEAKER: We are not having a debate on this.

MR SESELJA: We are not having a debate. We would be prepared to give Ms Burch leave to now answer the questions that she refused to answer when she impugned Mrs Dunne's character.

MR SPEAKER: Ms Burch is not seeking leave so I guess it cannot be offered.

Standing and temporary orders—suspension

MRS DUNNE (Ginninderra) (3.10): I move:

That so much of the standing orders be suspended as would prevent Ms Burch (Minister for the Arts) from answering questions which she did not answer during question time.

Mr Speaker, I move for the suspension so much of standing orders as would allow Minister Burch to answer the questions that she refused to answer in question time on the basis that she would rather impugn my honesty. I move that standing orders be suspended so as to allow Minister Burch to answer the questions that she did not answer in question time.

When we are discussing the administration of finances in the ACT and the live question of public art, it is within the rights of members in this place to ask questions about the assertions made by the minister. The minister claims that she quoted somebody else, but she quoted them as an endorsement of her policy. Part of what she said and what she quoted was that public art increased property values. Instead of addressing this question during question time, Minister Burch sought to deflect from this issue by impugning my honesty—about whether or not it was actually said in answer to Mr Seselja's question.

It has now been shown that the minister was the one who was in the wrong. In answer to Mr Seselja's question, she clearly says, by quoting the reference to somebody else, that she believes that public art increases property values. Our questions today were about what research was done in relation to this. The minister has steadfastly refused to answer the question.

Now that the record has been set straight about what she actually said on 29 March, it is appropriate that the minister should answer the questions. That is why we should suspend standing orders—so as to get the answers that we should have received during question time. The minister has a great capacity for trying to deflect from the real facts. We have seen this in just about every part of her portfolio. Here in the area of public art, she made an assertion that there was real economic benefit to the people of the ACT through increased property values.

That raises a whole range of questions. It raises questions about the basis for her saying this. If the basis for her saying this is just that she was quoting somebody else, she needs to say that. If there is further research that she can point to, she needs to point to it. She also needs to assure the people of the ACT that if, through the installation of public art, property values go up, we will not see an increase in rates.

Or are we going to see an increase in unimproved capital value that can be directly linked to public art? And will we see an increase in rates? Is this part of the Jon Stanhope legacy—we get the public art, we get the \$8 million or more spent on public art, and the people of the ACT not only pay for it through the budget but then pay for it through their rates for years to come into the future.

These are the questions that Minister Burch should answer. She should have answered them during question time. That is why we need to suspend standing orders.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development) (3.13): The government will not be supporting the suspension of standing orders. For heaven's sake, Mr Speaker! Is this really the pressing moment of issue before the Assembly today? Is this the issue that Mrs Dunne and the opposition feel so aggrieved about that we have to suspend all the other business of the Assembly just so we can deal with the fracturing of Mrs Dunne's glass jaw?

Minister Burch was very clear in the *Hansard*. She said:

I just refer to an article that was in the *Canberra Times* in "Opinion" on 27 March where the author—

not Ms Burch, the author—

makes it very clear that public art's benefits are ...

And so on and so forth. I find it extraordinary that those opposite are prepared to completely disrupt the business of this place because they were unhappy with an answer that Ms Burch gave. Mr Speaker, I think there are more serious things to deal with. I think the opposition should reflect on that. The government will not be supporting the motion for the suspension of standing orders.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (3.15): We will not be supporting the motion for the suspension of standing orders. It is very clear here that the main issue is about the quality of answers. Yes, all of us could say that there would be times when we were not pleased with the quality or satisfied with the answers we get. We cannot suspend standing orders every time. Really that is at the heart of the matter here. We have other business this afternoon that we need to get on to.

I am sure that if this is a big pressing issue for the Canberra Liberals, they will come back and ask more questions. There are a number of forums in which they can do that. But at the end of the day, this is about the quality of answers. Sure, we would have to agree that quite often we come away from question time dissatisfied as well. But we are not going to support the motion for the suspension of standing orders on this matter.

MR SESELJA (Molonglo—Leader of the Opposition) (3.16): It really does not matter what the issue is. Whether it is public art, health or education, if they are reasonable

questions to ask in here, we expect that ministers will not hide behind spurious arguments not to answer questions. That is what Ms Burch did. She concocted a story that Mrs Dunne was somehow lying or not telling the truth. She concocted a story so she would not have to answer the question. I think it would be reasonable

Members interjecting —

MR SPEAKER: Order, members! Stop the clocks, thank you. Mr Seselja has the floor. I expect to be able to hear him.

MR SESELJA: Whether it is done by Ms Burch, by Mr Corbell or by any of the other ministers, I think it is important that we as an Assembly say that ministers should not be able to hide behind concoctions in order not to answer questions in question time. That should be a principle that non-executive members in this place hold dearly. For the Greens, through Ms Hunter, to acknowledge that they often do concoct reasons and they often do not answer questions but say, “We will not actually hold them to account,” when we can, I think is regrettable.

What we should be doing is actually saying that Ms Hunter is very sensitive on this. What we should actually be doing is sending a very clear message that whether it is public art, health or education, in any areas of public interest where we are asking questions we expect that ministers will not play these kinds of games. If we send this message to them, perhaps other ministers will not engage in these kinds of games in question time in the future.

Question put:

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

The Assembly voted—

Ayes 6

Noes 11

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mr Seselja

Mr Smyth

Mr Barr
Dr Bourke
Ms Bresnan
Ms Burch
Mr Corbell
Ms Gallagher

Mr Hargreaves
Ms Hunter
Ms Le Couteur
Ms Porter
Mr Rattenbury

Question so resolved in the negative.

Canberra Hospital—emergency department data Paper and statement by Speaker

MR SPEAKER: For the information of members, I present the following paper:

The Canberra Hospital—Performance audit—Emergency Department performance information—Copy of letter to the Speaker from the Auditor-General, dated 3 May 2012.

I received this letter from the Auditor-General during the lunch break in response to the motion of the Assembly on Tuesday this week. The letter indicates that the Auditor-General has decided to conduct a performance audit on the circumstances associated with the alleged misreporting of Canberra Hospital emergency department performance information.

Papers

Mr Speaker presented the following papers in response to resolutions passed by the Assembly:

Waste management—Letter to the Speaker from the Minister for the Environment and Sustainable Development, dated 30 April 2012, relating to the resolution of the Assembly of 22 February 2012.

2013 Canberra Centenary—Funding and tourism—Letter to the Speaker from the Federal Member for Lyne, dated 16 April 2012, relating to the resolution of the Assembly of 28 March 2012.

Ms Gallagher presented the following papers:

Gene Technology Act, pursuant to subsection 136A(3)—Operations of the Gene Technology Regulator—Quarterly report—1 October to 31 December 2011, dated 21 February 2012.

Roads—William Hovell Drive Paper and statement by minister

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health and Minister for Territory and Municipal Services): For the information of members, I present the following paper:

William Hovell Drive—Congestion—Analysis of data from daily vehicle counts dated May 2012.

I seek leave to make a short statement.

Leave granted.

MS GALLAGHER: On 21 March 2012 the Assembly passed a motion requesting the government to provide data on traffic volumes and delays on William Hovell Drive over a seven-day period not affected by school holidays, together with an analysis of this data. I am pleased to table this information today. As members of the Assembly would know, there are a number of traffic lights on William Hovell Drive. This makes the collection of data relatively easy as traffic volumes are recorded on a continuous basis as vehicles travel through an intersection.

Traffic volumes passing through the intersection of William Hovell Drive and Bindubi Street have been collated over a seven-day period from the end of March

until early April 2012 and provided to the Assembly as requested. Travel time information during the morning peak period has also been surveyed and collated on William Hovell Drive between Drake Brockman Drive and where traffic enters Parkes Way over a number of days between 28 March and 10 April 2012.

When I spoke in the Assembly on this matter in March, I indicated that the current capacity of Parkes Way continues to impact on traffic flows on William Hovell Drive which itself, as can be seen from the data, carries a significant traffic volume, particularly east of Bindubi Street. I am pleased to advise the Assembly that the construction contract to widen Parkes Way is being finalised and will commence in May 2012. The completion date is September 2013.

Having improved the capacity of Parkes Way, the next bottleneck is the exit from Parkes Way to Commonwealth Avenue. As those who travel this part of the road network know only too well, this can be a very slow at times. Improvements to this exit lane from Parkes Way to Commonwealth Avenue are included as part of the Parkes Way construction contract to be let shortly. This work will be completed by the end of 2012 to avoid any clash in the city precinct with centenary celebrations next year. Members who are familiar with the area will know of the delays that can be experienced by the current arrangements with London Circuit and Commonwealth Avenue and these works will provide some relief to these delays.

Members will also be aware that the speed limit on a section of William Hovell Drive from Coppins Crossing Road to Bindubi Street has recently been reduced as part of a federal government black spot road safety improvement. There have been 11 casualty crashes on this section of the road over the last five years and it was identified as a black spot in September 2011. The recent changes in speed limit will assist in improving road safety on this section of the road in a cost-effective way, as well as having a safer speed limit for a section of the road that includes two sets of traffic lights.

The need for further upgrades to William Hovell Drive will be monitored by TAMS road engineers. Feasibility work will be undertaken to establish the engineering requirements and project costs, together with the benefits that support the investment of public funds. Given the current planning and development in the Molonglo Valley and the need to connect roads in the new district with the existing road network, TAMS has listed the need to undertake feasibility work over the period 2013-14.

In relation to the analysis of data from daily vehicle counts of William Hovell Drive, traffic volumes passing through the intersection of William Hovell Drive and Bindubi Street have been collated over a seven-day period from the end of March until early April this year. The analysis confirms that William Hovell Drive is a very busy road with little spare capacity during the morning peak period, carrying on average more than 43,000 vehicles during a typical weekday east of Bindubi Street and 30,000 vehicles a day west of Bindubi Street.

Travel time information during the morning peak period has also been surveyed and collated on William Hovell Drive between Drake Brockman Drive and where traffic enters Parkes Way over a number of days between 28 March and 10 April this year.

The morning peak period is normally more critical in Canberra as it tends to be more concentrated than the evening peak period, and that is certainly the case for William Hovell Drive.

The travel survey information is very typical of a busy road with little spare capacity during the morning peak period. Travel times over the same section of road can be quite variable from day to day with small impacts to traffic flow having a disproportionate impact on delays. Once delays are encountered or a bottleneck forms—say, for instance, at the merge with Parkes Way or even the merge with Commonwealth Avenue traffic—this can have a significant impact on travel time on William Hovell Drive.

This is illustrated by the range of travel times of seven to 20 minutes for the same section of road on different days. A trip completed in just over seven minutes had no delays whereas the trip that took over 20 minutes got caught up in delays primarily due to the current merging capacity at the entry point to Parkes Way.

The report I have tabled includes the results of 11 morning peak period travel time runs from Drake Brockman Drive to Parkes Way, which is a distance of eight kilometres. The report shows that 11 travel time runs were conducted from 28 March to 10 April, with the earliest starting at 7.29 and the latest at 8.40. The results showed that the average travel time was 13 minutes and 52 seconds, the median travel time was 15 minutes and 30 seconds, the shortest travel time was seven minutes and 10 seconds and the longest travel time was 20 minutes and 30 seconds.

This analysis indicates that, by avoiding or improving traffic throttle points such as the Parkes Way and Commonwealth Avenue merges, it is possible to improve travel times on William Hovell Drive. This analysis shows that the government has an ongoing assessment and planning process that is aimed at alleviating traffic hold-ups to the extent possible and in the context of road safety and its transport for Canberra strategy. As Canberra grows and changes, transport for Canberra will help us to reduce traffic congestion and greenhouse gas emissions while increasing the number of people using active travel and public transport. It will increase accessibility for all Canberrans and improve links through the region.

Madam Assistant Speaker, I would also like to take this opportunity to congratulate Mr Tony Gill, the Director of Roads ACT, on receiving a Public Service Medal at a ceremony at Government House last night. Many of you would know of Tony's outstanding contribution to the territory and his commitment to road standards and safety within the ACT. It is a fitting honour for an outstanding ACT public servant.

Public Accounts—Standing Committee Paper and statement by minister

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation): For the information of members, I present the following paper:

Public Accounts—Standing Committee—Inquiry—Auditor-General's Report
5/2011—2010-11 Financial Audits—Government submission.

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

Leave granted.

MR BARR: I present the government's submission to the Standing Committee on Public Accounts on the Auditor-General's report No 5 of 2011 entitled *2010-11 Financial Audits*. I note the recommendations in the Auditor-General's report largely relate to the quality of financial statements and statements of performance, the usefulness of accountability indicators and their related targets and policies and procedures relating to ICT systems.

The government's response agrees with 10 of the 12 recommendations in the report and agrees in principle to two. Details of the government's position on each of these recommendations are contained in the submission that I have just tabled. I commend the paper to the Assembly.

Financial Management Act—instruments Papers and statement by minister

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation): For the information of members, I present the following papers:

Financial Management Act—

Pursuant to section 16—Instrument directing a transfer of appropriations from the Territory and Municipal Services Directorate to the Environment and Sustainable Development Directorate, including a statement of reasons, dated 29 April 2012—

Pursuant to section 16B—Instruments authorising the rollover of undisbursed appropriation, including statements of reasons, of the—

Education and Training Directorate, dated 28 April 2012.

Justice and Community Safety Directorate, dated 28 April 2012.

Territory and Municipal Services Directorate, dated 30 March 2012.

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

Leave granted.

MR BARR: As required by the Financial Management Act 1996, I table a number of instruments issued under sections 16 and 16B of the act. Advice on each instrument's direction and a statement of reasons must be tabled in the Assembly within three sitting days after it is given. Section 16(1) and (2) of the act allow the Treasurer to authorise the transfer of appropriation for a service or function to another entity following a change in responsibility for that service or function. This package includes one instrument authorised under section 16. This instrument facilitates the transfer of \$485,000 in net cost of outputs appropriation from the Territory and Municipal Services Directorate to the Environment and Sustainable Development Directorate for transport planning. This transfer is budget-neutral.

Section 16B of the Financial Management Act 1996, “rollover of undisbursed appropriation”, allows for appropriations to be preserved from one financial year to the next. This package includes three instruments authorised under section 16B of the act. The appropriations being rolled over were not spent during the fiscal year 2010-11 and are still required in 2011-12 for the completion of the projects.

The first instrument authorises total rollovers for the Territory and Municipal Services Directorate of \$4.321 million, including \$1.866 million in net cost of outputs and \$17.247 million in controlled capital injection offset by the acceleration of 26 capital projects totalling \$14.792 million.

The second instrument authorises a total of \$17.528 million in rollovers from the Education and Training Directorate, comprising \$4.210 million in net cost of outputs, \$934,000 for payments on behalf of the territory and \$12.384 million of controlled capital injection appropriations.

The third instrument authorises a total of \$5.906 million in rollovers for the Justice and Community Safety Directorate, comprising \$224,000 in net cost of outputs, \$5.460 million of controlled capital injection and \$222,000 of territorial capital injection.

These rollovers have been made as the appropriation relates to project funds where commitments have been entered into but the related cash has not yet been required or expended during the year of appropriation—for example, where capital works projects or initiatives for which the timing of delivery has changed or been delayed, where outstanding contractual and pending claims exist, or where there are delays in implementing budgeted recurrent initiatives.

Further details of these instruments can be found in each individual instrument that I have tabled this afternoon. I commend the instruments to the Assembly.

Planning and Development Act 2007—schedule of leases

Paper and statement by minister

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development): For the information of members, I present the following paper:

Planning and Development Act, pursuant to subsection 242(2)—Schedule—
Leases granted for the period 1 January to 31 March 2012.

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

Leave granted.

MR CORBELL: Section 242 of the Planning and Development Act requires that a statement be tabled in the Assembly each quarter outlining details of leases granted by direct sale. The schedule I now table covers the leases granted for the period

1 January to 31 March 2012. In addition, 117 single dwelling house leases and 87 additional land rent leases were granted by direct sale for the quarter.

Education—future

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 Coe be submitted to the Assembly, namely:

The future of education in the ACT.

MR COE (Ginninderra) (3.35): I am very pleased to raise this matter of public importance today. It provides another opportunity to debate one of the territory's important governance responsibilities—that is, education. The Canberra Liberals believe in the ability to choose the education you want for your child, whether it is in the government sector, the non-government sector, at a faith-based school or any other school. Funding should not discriminate.

The Canberra Liberals believe in fairness and equality for all schools and all families. This is a fundamental difference from those on the other side of the chamber. We all know that those on the other side of the chamber are very conflicted when it comes to non-government schools. In spite of the fact that more than 40 per cent of ACT students go to a non-government school, this government continues their vendetta against the non-government sector. We know very clearly through the Labor Party conference resolution—supported by the Chief Minister and, no doubt, supported by multiple other members on that side of the chamber—that the growth of private education has facilitated the fragmentation of Australia's children along ethnic, cultural and particularly religious lines.

What they are saying is that the non-government schools in the ACT are fragmenting our culture; they are fragmenting our society. They are saying all the families that choose to send their kids to a non-government school have contributed to the fragmentation of Australia. That is a very big difference from our view on this side of the chamber. Yesterday, my colleague Mr Doszpot brought to this place a motion in support of Catholic Schools Week and the contribution those schools and, indeed all non-government schools make to the territory. I want to completely endorse the motion put forward by Mr Doszpot and the words that he and my other Liberal colleagues spoke in that debate.

There are a number of elements that must be raised relating to the future of education in the ACT. Not least of these is the issue of equality of funding. In February 2012 there were over 60,000 students in the ACT. Of those, 27,000 attended a non-government school. This number has been trending upwards over a number of years. Yet the territory does not recognise this and does not fund according to the enrolments.

What is fundamental to our education system is the contribution made by the commonwealth government, both financially and otherwise. If it were not for the Gonski review, this government would have nothing to hang their hat on. The government have put all their eggs in that basket. They are totally dependent on the Gonski review for all their policy ideas. What they have, in effect, done is outsource the fundamental responsibility of the territory government for education to the federal government. They have said: "It's too hard for us. We're either going to stuff it up or we'll be forced to do something that we do not want to do. Therefore we'll buck pass to the commonwealth government and they can be responsible."

They try to do this with health all the time. They are doing it with education. Who knows what is next on the agenda when it comes to buck passing to the commonwealth government? When it comes down to it, the territory government fails. They shift it to the commonwealth and try their luck with what is a failing Labor government at a federal level as well.

Fundamentally, the recommendations in Gonski will affect non-government schools. They will affect their funding, and the government in the ACT has failed to provide any assurances that no ACT school will be disadvantaged if the recommendations of the Gonski reviewed are implemented.

It is important to note that we cannot just blame Dr Bourke for education failures in the ACT. Unfortunately, there have been a few ministers, successive ministers, who have failed in this role in the ACT—whether it is ministers that see students as a photo opp and at every opportunity leap into a school to have a happy snap, or whether it is Ms Gallagher's outright misleading of the community when she said she would not be closing down schools.

Let us not forget that it was Ms Burch when she was a backbencher who went into a high school in the ACT with Labor Party show bags, trying to entice them to join the Labor Club and put money into poker machines to put more money into her own campaign. These are the ulterior motives of those on that side of this place. They have a vested interest in the Labor Club reaping as much as possible from problem gamblers, and it is no wonder, given their greed and given their selfishness, that they want to promote the Labor Club to as many people as possible. Unfortunately, she totally abused her powers as a member of this place when she went into a school with Labor Party show bags and handed them out.

In addition to the obvious ethical problems with doing that, it shows a complete error in judgement. How could anybody think that that was a good idea? How could anybody actually walk into Campbell high with a box full of Labor Party show bags and think, "Yeah, this is going to be great"? Obviously you did. Obviously you thought it was a good idea. Obviously you thought it would be a winner. Obviously you thought giving out Labor Party and Labor Club membership forms was going to give you some brownie points in the party. Well, it has not. It certainly has not given you brownie points in the community.

Ms Burch may shrug her shoulders and laugh it off, but it is interesting that the neglect she showed this place as a backbencher has been replicated by the neglect she has shown this place as a minister, and umpteen inquiries have proven that. Her inability to answer questions for months on end shows just how obvious her errors of judgement have been. Like successive education ministers, she has failed the people of Canberra, and the government continue to do so.

By far the biggest legacy the ACT Labor Party has when it comes to education is the closure of 23 schools in 2006. This is something that, of course, the Chief Minister, Katy Gallagher, said would not happen. Yet, like with so many other things, she is trying to distance herself from the truth, just as she tries to distance herself from the Labor Party conference resolution that the growth of private education has facilitated the fragmentation of Australia's children along ethnic, cultural and particularly religious lines. What she is saying is that every family that chooses to send their kids to non-government schools has contributed to the fragmentation of Canberra.

In 2004 on several occasions the then education minister, now Chief Minister, Katy Gallagher, assured the community that schools would not close. Prior to the 2004 election Ms Gallagher repeated her claims that schools would not close. In fact, Katy Gallagher was misleading the community in each of these instances. Just like then, how can we trust her today when she makes an announcement, especially in an election year?

Katy Gallagher confessed in this place that she had broken that promise only six weeks after the 2004 election:

Really, it started not long after the election. On 30 November, as part of my visits to schools as minister for education, I visited the Ginninderra district high school ...

I will tell you when that planning started. The planning started on 30 November 2004, when I went and visited the terrible facilities at west Belconnen, at Ginninderra district high school ... In years to come, the government will be thanked by the community itself; you wait and see.

Well, we have waited, and what we have seen is a great disparity between school premises in the ACT. Whilst there are some super schools that have super facilities, there are others that are left to rot because they are riddled with asbestos. Whilst there continue to be ongoing issues with bullying and behavioural issues, all the government can do is point to a few new buildings. There are no new ideas; just the same bandaid approach. There are no new values; there are no commitments to values. There is simply a neglect of the education portfolio.

It would be remiss of me not to mention the recent debacle surrounding the proposed CIT and UC merger. This project has been a colossal waste of time. We heard today the minister say it had cost \$60,000. We would all be keen to see the evidence supporting that. Students, educators and the community alike are left shaking their heads. In fact, the Vice-Chancellor of the University of Canberra was quoted in the *Canberra Times* yesterday as being exasperated with the process. He said, "From the university's point of view, I feel we have wasted a lot of time and energy."

Of course, it would be impossible to speak about the future of education without discussing the availability of land—or unavailability, as the case may be—when it comes to new suburbs, especially those in Molonglo. We know the saga of the proposed Catholic high school in Gungahlin and how for months, if not years, the Catholic sector has been stuffed around by this government. Whether it has been stuffed around by them as part of an ideological objective or whether it is because of incompetence, we do not know. What we do know is that people in Gungahlin have not had the choice they deserve because of this government's mismanagement of education.

I understand the proponents of independent schools for Molonglo have been very disappointed with the potential locations which have been identified. There are particular issues with these locations because little consideration has been given to the land requirements of schools.

When Mr Barr was the minister for education he told a meeting of the non-government schools council that there would not be any land available in stage 2 of Molonglo for an independent school. There is unsuitable land in stage 1 and no land available in stage 2. Whilst it might sound like a conspiracy theory, you have to ask how committed were the government to getting an independent school in Molonglo if the land offered was unsuitable. Was it deliberately unsuitable and, therefore, a way of ensuring that no independent school would be built in Molonglo for a considerable amount of time? As planning for the development of stage 3 is still a long way off, the area is effectively left without choice of education for the new families of Molonglo.

In summary, ACT Labor has let down our city when it comes to education. Our challenge for the future is to provide our children with high quality education that enables them to realise their full potential. This must be done in educational facilities of the highest quality by teachers of the highest calibre and with funding that is equitable. But, above all, it has to come from a government that is truly committed to equality and fairness in education for all families.

DR BOURKE (Ginninderra—Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections) (3.49): I thank Mr Coe for bringing on this matter of public importance. I note that the topic is the future of education in the ACT, but Mr Coe just talked about the past—and such a misleading past it was too. He attacked clubs, part of our vital community infrastructure. He attacked my colleague Ms Burch. He spent most of his time talking about non-government school funding and finally finished off running down public education, stating that schools had been left to rot.

Members interjecting—

Ms Hunter: Point of order, Madam Chair. I cannot actually hear what is being said because of the yelling across the chamber. Could you please call people to order?

MADAM ASSISTANT SPEAKER (Mrs Dunne): Minister Burch and Mr Coe will refrain from—

DR BOURKE: Stop the clocks.

MADAM ASSISTANT SPEAKER: Yes, I am quite happy to stop the clock. Minister Burch and Mr Coe should refrain from exchanges across the chamber.

Ms Burch: We will.

MADAM ASSISTANT SPEAKER: I will hold you to that, Minister Burch.

DR BOURKE: Let me just clarify for Mr Coe. I am sure he has not actually listened to a word I have said for the last couple of days about support for Catholic independent schools in the ACT and the particular state that they had been left in by the previous Liberal government. But let me address what he said about running down public education. Over the seven-year period 2005 to 2012 the ACT government invested \$650 million into ACT public schools in infrastructure works—not only in constructing new schools but in capital improvements to existing schools in every school in every part of the territory.

The future of education in the ACT is very bright. The ACT outperforms all other jurisdictions across all school and post-school sectors on many key indicators of quality and performance. Building on this success, the ACT government continues its commitment to delivering reform in education. As Minister for Education and Training I am determined to ensure even higher quality services and even better outcomes for students in the future. I am confident that every Canberran will have access to the best possible schooling and life learning experiences. My government's investment in the school and tertiary education sectors supports an excellent forecast for education in the ACT.

The key to high performing students is the quality of their education. The ACT government are committed to ensuring ACT students have the best teachers. We have committed \$11.8 million over four years to ensure we continue to attract and retain the very best teachers to public schools by recognising the best teachers sooner, promoting them faster and paying them more.

Students learn best in a supportive and personalised environment. We have invested \$28.7 million over four years for an extra 70 teachers to support and nurture our students in public school classrooms. These teachers have reduced class sizes. Our student to teacher ratios are among the lowest in the country. We are investing \$1.6 million to free up teachers so that they can spend less time on administration and more time either in the classroom or preparing for the next day's lessons.

We support teachers to build their expertise in identified areas of need through the teacher professional learning fund of \$1 million each year. Teacher scholarships enable teachers to develop and refine their skills to improve student learning. These equate to \$250,000 a year. Since coming to government in the ACT, Labor has a history of providing additional funding to the non-government sector, Mr Coe, for new computers, for capital infrastructure, for disability services.

MADAM ASSISTANT SPEAKER: Dr Bourke, when you address the chamber in this place you do not address individuals; you address the chair. So please do not refer to Mr Coe or anyone else. If you want to make a point, address the chair.

DR BOURKE: Thank you, Madam Assistant Speaker.

As a minister, I want that tradition to continue because, unlike those divisive, sectarian members on the other side, Mr Seselja and Mr Doszpot, I want the best outcome for all students, whatever school or whatever sector they come from. The ACT government entered the teacher quality national partnership in 2009. This partnership gives ACT public, independent and Catholic systems access to \$8 million to improve teaching standards, reform their pay structure and enhance the status of teaching as a profession.

The \$8 million is complemented by ACT government funding of nearly \$4 million from the 2010-11 budget to establish the Teacher Quality Institute. The institute, established in 2011, serves ACT public, independent and Catholic schools. Its responsibilities include teacher registration, ensuring teacher qualifications meet new minimum national standards, accrediting teacher training courses delivered in the ACT, and delivering leadership standards.

The institute will also work collaboratively with our new school centres of teacher education excellence. These centres will model better practice and enhance creativity in teacher practice. Reading, writing and mathematics are the building blocks of education.

The ACT government has partnered with the Australian government to invest in our teachers' capacity to teach literacy and numeracy. To enable ACT children to improve their literacy and numeracy skills, the ACT has been able to access almost \$6 million in Australian government funding since 2009 through the literacy and numeracy national partnership. This partnership is complemented by ACT government co-investment funding and a proportionate co-investment from the independent and Catholic sectors.

The ACT results from the 2011 NAPLAN tests show that our students are among the best in the country. Between 91 per cent and 97 per cent of ACT students achieved at or above the national minimum standard across most test areas and results for ACT Aboriginal and Torres Strait Islander students showed they are continuing to improve at a rate higher than the national average. The 2009 national assessment program's science literacy report showed that the ACT had, at 61.2 per cent, the highest proportion of students performing in the proficient range in science literacy. The mean score for the ACT was also significantly higher than that for the nation. These are excellent results and confirm that the ACT is delivering education of the highest standard.

ACT students are not only among the best in Australia; they are performing well against their international counterparts. In the latest program for international student assessment, PISA, the average mathematical literacy score in the ACT in 2009 was

statistically higher than the OECD average. ACT students achieved a similar result in reading, performing better than the OECD average and on a par with Shanghai, Korea, Finland, Hong Kong, Singapore and Canada.

These excellent national and international results are reflected in the achievements of students completing year 12 in 2011. Of the 4,214 year 12 certificates awarded in the ACT in 2011, nearly two-thirds of recipients received an ATAR, with 77 per cent of these students achieving an ATAR of at least 65, the cut-off for admission to a local university. The ACT continues to have the nation's highest retention rate to year 12. We also have the highest proportion of 20 to 24-year-olds who have achieved a year 12 or equivalent qualification. These results are important to all of us because of the clear link that exists between educational achievement and individual prosperity.

In the post-school education sector the ACT is consistently the highest performing state or territory in the nation across a range of indicators. In the vocational education and training sector, for example, the ACT has the highest proportion of VET course completions at certificate III or higher and the highest proportion of VET graduates employed after completing training. Notwithstanding this success, the ACT government remains committed to reform of the ACT tertiary education sector. The ACT government has entered into the national partnership agreement on skills reform. It will reform the quality, transparency, efficiency and equality of the VET system. Through this partnership the ACT will receive \$28 million over the next five years. This will support the ACT government's strong historical investment in VET, which has paid off with excellent performance.

The ACT government has also established the Learning Capital Council to advise on education reform to serve the ACT and our region. The Learning Capital Council will support greater integration at institutional, government, industry and community level in the region.

The ACT community can be confident that the future of the education sector in the ACT is indeed bright. Anyone looking for evidence for this confidence need look no further than the performance of our school and post-school education sectors. The ACT government's investment in education has paid off in excellent outcomes.

Our commitments to future investment and reform, however, show that we are not content to rest on our laurels. The future, in terms of quality teaching and excellent student outcomes regardless of what sector the school belongs to, is assured. The investment in reforms in the tertiary education sector means bright career futures for young Canberrans and a sustainable workforce for the ACT.

The future is so bright that we will have to wear shades.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (4.01): Thank you to Mr Coe for bringing on this matter of public importance today.

We have this week seen the Canberra Institute of Technology, our CIT, feature heavily with some news—some good, some bad and some ugly. We finally had some fresh news, some old news and some “no news is good news” delivered by the

government regarding the future of not only the CIT but also another of the key players in our local education system, the University of Canberra.

There have been stories about journalism courses by journalists, the freedom or otherwise of the freedom of information investigations and rallies against funding cuts. There has been a renewed focus on the importance of English as an additional language or dialect teaching and learning in ACT public schools, and a mention of the importance of English proficiency at universities as well. We have learned of a game changer coming our way, to the tune of some \$28 million, fundamentally changing vocational education and training in the ACT, and significantly increasing the commercial and competitive nature of the sector.

And of course, no-one here can ignore what is arguably the most significant piece of work affecting Australian schools in recent times—the Gonski review and the subsequent report that has recommended a new way of funding our schools.

I know that all affected stakeholders are currently engaged in consultations and modelling around aspects of the student resource standard, and are in the process of identifying possible implications. I am very aware that there are concerns—real concerns—about possible negative impacts for schools in the ACT. I also know that at this stage all participants are doing this work in good faith and have yet to formally and publicly state their final positions. This is a sign, I feel, that everyone is still determining the exact nature of the changes and that people are wisely awaiting more detailed modelling information from the commonwealth before deciding upon their positions.

The ACT Greens are treating these issues seriously. I am keen to hear people's concerns. My office has held meetings with many stakeholders to discuss a wide range of topics, including the Gonski report. We are very lucky to have such a wide range of people and groups representing the interests of the education sector here in the ACT. I am always impressed by the passion each of these groups shows in advocating for its members and students. We are home to a diverse population and an equally diverse range of groups, who all do a fantastic job of highlighting the challenges we face.

While we may not always agree on every topic, we can and do operate on a basis of mutual respect and professional courtesy, something that is at times missing from this Assembly, particularly on this subject. As the nation's capital, we are home to the federal government and national institutions, but our city has also become a high quality educational hub which proudly punches above its weight with schools and universities of international repute. Canberra has also grown into a knowledge and learning capital. We are a city with a long history as a place of academic learning, boasting a fantastic range of leaders in education, such as the ANU, University of Canberra and Australian Catholic University. Our dynamic CIT offers world-class hospitality courses, amongst others, and is home to some great research centres.

This is why we must get it right. The ACT must make sure we get the best deal we can from the recent federal policy initiatives and ensure that no student is

disadvantaged. The ACT Greens want a vibrant and viable education system that is secure in its ability to compete in this ever more deregulated environment, particularly at that tertiary level.

I list all these points not just to provide a running commentary, but to highlight to members here today that we live in interesting times. When I speak of education, I think of students, teachers, parents and caregivers. Of course, I also think of funding, buildings and the local economy, as well as lifelong learning, career development and social inclusion.

In recent times we have had many motions and debates on education in this place. I have stood to speak on issues of school infrastructure and school funding, among other issues. I have called on the old parties to find new ways of thinking. Just yesterday we saw heated debate about out-of-date, out-of-touch and soon to be redundant funding methods which quickly—and, I must say, predictably—descended into unproductive “us versus them” finger pointing and name calling.

At the risk of repeating myself, I once again point out that at the highest level across the country, every stakeholder, regardless of religion, philosophy or political persuasion, can agree on one thing—that the current system of commonwealth and local funding is flawed. Every peak body representing teachers, education professionals and academics and every youth advocacy and representative body all want one thing: greater investment in all of our schools.

Yet today the Greens have been the only political party that has echoed Mr Gonski’s call for an immediate injection of \$5 billion into education and the only party to recognise that the figure will probably be closer to \$10 billion.

We have always supported fair and equitable funding for all students. This is perhaps the distinguishing feature of the Greens’ policy. We are calling for better funding for students—not for systems, not for sectors, but for the students: students facing significant disadvantage and students seeking to excel. We stand for better support in schools for students with disability, no matter where they go to school. And we stand for educational achievements to be free from barriers of socioeconomic status.

It is the educational outcomes that we are fighting for. Standards are slipping, and we cannot afford to let them slip any further.

We have called on the Assembly to review the fact that students with English as a second language receive limited support even when they have below or well below average language proficiency. The amendment moved in my name yesterday in a motion on schools funding called on the government to seek assurances of fair and equitable funding for all schools. This is really where the debate is at the moment. It is about ensuring that every student, regardless of their ability, regardless of where they go to school, is going to get a fair go, is going to be able to reach their educational potential.

We know that funding in education is not a luxury; it is an investment in this country. It is important that the way that Gonski rolls out is not going to disadvantage students

or disadvantage states. That is why I have called publicly for very strong leadership at our government level, at the ACT government level, to ensure that we are going to get a good deal. I would hope that all leaders across all states and territories are doing the same. And that is not just for the government system but for all of the systems.

We also, of course, need to look at this national partnership agreement on skills reform. And I would say the same thing: we need strong leadership to ensure that we are not going to end up with a downgraded TAFE system in this territory. What has happened in recent years is greater contestability in this space. We need to make sure that we look after our local CIT and ensure that private courses that are provided are of a high quality and that that sector is supported so that it can deliver high quality courses.

These are some of the challenges we face, and I look forward to being part of future debates on this matter.

MR DOSZPOT (Brindabella) (4.11): I thank Mr Coe for bringing this matter of public importance to the Assembly for discussion today—the future of education in the ACT. Given the performance of the ACT government over the past 11 years and, more particularly, the performance of the new minister for education in recent weeks, one can cynically wonder whether education does in fact have a future in the ACT under these conditions. But then I recall the hundreds of visits I have made to schools across the ACT in government and non-government schools over the last three years, the enthusiastic students that I have met, the committed teachers and hard-working principals I have spoken with, the school concerts, plays, assemblies and awards nights that I have been part of, and I know that there is a wonderful present and an even better future.

ACT education enjoys a favourable reputation around Australia, and that is deserved. We need to recognise that Canberra has a unique social demographic layout and that this provides both opportunities and challenges for, among other things, education. For a start, we have a different school structure from other states. Our schools move from preschool to primary to high school and we have a separate college system for the last two years of schooling. There are nearly 68,000 students enrolled in 150 schools in the ACT. The majority of ACT schools are government schools. Canberra Catholic schools are the next largest group, followed by Canberra independent schools.

The majority of ACT and Canberra schools are co-educational, with a small number of single-sex schools. Among non-government schools there are Catholic schools and independent schools representing a range of religious faiths or in fact no denomination.

While the majority of schools are government schools, we know Canberra is unique in the number of students that attend a non-government school—over 40 per cent across all sectors and over 50 per cent in high school. Unique indeed. There are various reasons offered to explain this: Canberra's affluence, the strength of and support for the Catholic faith in Canberra, the preference for a single-sex school, the concern for stronger discipline and stronger culture.

Here in Canberra we have some outstanding non-government schools that lead Australia in educational outcomes and in technology uptake, and offer a wide variety of curriculum choice and co-curricular activities, be it sport or drama. The fact remains that parents want choice, and Canberra schools provide that choice in quality abundance in government, non-government, church and independent schools, and they all deserve our support.

Interestingly, a feature in today's *Canberra Times* said:

The ACT public school system has a tradition of excellence and achievement.

ACT public schools provide students with innovative learning environments, quality teaching and stimulating programs with a range of learning opportunities and experiences to ensure students gain the skills they need to lead fulfilling, productive and responsible lives.

Those remarks could and should be said equally of all ACT schools, because I have seen innovative learning environments in little independent schools like Blue Gum, just as I have seen it at Dickson college. I have met quality teachers who are passionate about their vocation in every single school I have visited.

The same article boasted proudly that the ACT invests well above the national average in public education. And we know it does. But time and time again we see this Labor government focused only on public education. We see a minister who looks at increased public school enrolments as some sort of victory over "the other lot".

It was strange that in yesterday's motion celebrating Catholic Schools Week the fact that ACT government funding is 12 per cent higher for government schools than the national average while ACT funding for non-government schools is among the nation's lowest, was not something that this minister or indeed anyone on the other side of the chamber was keen to highlight, explain or even admit.

While Ms Hunter was waxing lyrical about the equity in education that we require, in fact, it was the Greens combining with their coalition partners, this government, who deleted these references I have just made that are actual factual statements. But that was too hurtful from their point of view and they wanted that deleted from the motion that I introduced yesterday. I ask you: where is the equity there? You do not even want to know, you do not even want to have it seen in black and white in this Assembly what we are really talking about here. We are talking about equality, we are talking about choice. That is there in your lexicon only if it is choices that you want represented.

That above national average investment is well demonstrated in such state-of-the-art schools as the Gungahlin college. It would stand in strong competition with any school in Australia for design, for technology, for innovation in so many areas. As the principal, Gai Beecher, told me when we met, and says in her page on their state-of-the-art website:

Gungahlin College has been purpose built for teaching and learning in the 3rd millennium. The college design, construction, facilities and fit-out make Gungahlin College the finest example of senior secondary education in Australia.

The College features the latest in sustainable design and includes flexible learning hubs for collaborative learning, a media centre with TV and photography studios, a performing arts theatre with dance and drama studios, high standard music and arts facilities, a full commercial kitchen and computer networking laboratory.

That is Gungahlin. Harrison, led by principal Dennis Yarrington, and Namadgi, led by co-principals Lynn Petersen and Pam Rosser, all of whom I have met, are of similarly high standards. And we should be proud of them. But I have been to other schools—and I will not betray confidences by identifying them—that struggle with facilities, that struggle for enough resources.

The recent asbestos scare at Taylor primary school might be regarded as an unfortunate fate of weather. But we know that an asbestos report in 2008 had highlighted difficulties with that school. There are another 20 or more schools with similar reports that suggest removal of asbestos as soon as practicable. Has it been done? Who knows? We have public school buildings that are over 40 years old and we have to wonder whether any strategic planning has been done to determine what our needs are into the future.

Perhaps it was part of a strategic plan to tell parents before the last election that schools would not be closed and then close them once the election was over. That was undoubtedly the Chief Minister's finest hour in her time in Education, that and her vote for a motion at a Labor Party conference that claimed, "The growth of private education has facilitated the fragmentation of Australia's children along ethnic, cultural and particularly religious lines."

The government talk about valuing teachers. They say so in their *Everyone matters* publication. But their actions do not support the glossy brochures. The ACT government, in all of its publicity over several education ministers—Ministers Corbell, Gallagher, Barr and now Bourke—say that "we hold great store in quality teaching" and that the department is "committed to providing an environment for teachers that will increasingly support them in focusing on the core business of teaching and learning".

But Minister Barr showed no such support and provided no such environment to allow teachers to get on with the business of teaching. It was Minister Barr who hung public school teachers out to dry for over a year before he agreed to a new enterprise bargaining agreement. Throughout those negotiations he attacked them on any number of issues—attendance records, cutbacks in support for ESL teachers, attempted cutbacks to teachers of the visually impaired. He promised for almost a decade six-figure salaries and school autonomy. He delivered none of it.

ACT Labor talk about supporting Canberra families. "We will foster high quality parent and stakeholder participation in school communities," it says in *Everyone matters*, but they wanted to close 39 schools, or almost a third of all ACT primary

schools. In the end they closed nine preschools, 11 primary schools and one high school, and four other primary schools were partially closed.

The government may wonder why there is such a high percentage of families supporting non-government education, but why wouldn't they when parents can have no assurance that their public school of choice will stay open for the duration of their child's education? Why would they when they see bullying and other serious behavioural issues continuing at schools, and principals and teachers unable to deal with it because of restrictive policies that lack professional development, and far too few counsellors?

Governments should not be about picking winners and losers. We should ensure that all schools have access to the latest technology, that all students have the opportunity to do the best they can, for teachers to know they work in a vocation that is well respected and well supported by parents. And parents should have real choice. Our non-government schools need to know they are an important part of the education partnership in the ACT and funding that acknowledges their role. (*Time expired.*)

MS PORTER (Ginninderra) (4.21): The Gallagher Labor government is committed to the future of education in the ACT. And not only is this Labor government committed; I would like to put on the record my personal commitment and ongoing interest in the future of the greatest resource in our community—our children. As the mother of five, a grandmother of 10 and, as of Tuesday lunchtime, the great grandmother of Ava Louise, I have a significant and vested interest in ensuring that only the best education system is made available to our children and they are enabled to reach their full potential.

But I digress, Madam Assistant Speaker. Globally, education continues to evolve at an ever increasing rate. As a territory we need to remain responsive to this evolution to ensure we sustain our top level educational results, both nationally and internationally. My colleague Minister Bourke has spoken about the ACT government's investment in both the public and non-government sectors and the positive results being achieved, which make this huge investment all the more worth while.

The ACT, as the minister said, can be very proud of its results. We are proud of those who work in education in the ACT in the public and the non-public sector. We are very proud of our students who achieve so much. We are proud of the people who work in the directorates, we are proud of the staff and we are proud of the teachers. We should not be talking down our education system here in the ACT. We should be talking up what great achievements we have and letting people know that, right across all sectors, we are achieving well.

The ACT government seeks to provide a variety of educational opportunities, which we have all been talking about here this afternoon, in a number of ways, focusing on the best future for each student. We all want students in the ACT to have access to all the educational support they need to pursue the careers they wish to do. However, we also recognise that not every student is able to attend one of our excellent schools in person. Therefore, our aim for the future is to assist our students to continue leading the nation academically, as shown in the recent NAPLAN testing.

As a Labor government, we are committed to our aim of not leaving any child behind, regardless of the challenge. We support this by initiating education programs to teach even the hardest to reach students in the ACT. Examples already in place include the hospital school, operating at the Canberra Hospital paediatrics ward. The hospital school caters for students from preschool to year 12 with short-term, long-term and chronic illnesses.

Madam Assistant Speaker, when I was a child I used to volunteer at a hospital in England which had a similar kind of arrangement. Children were given, unfortunately, at that time minimal education facilities. When I was a practising nursing sister in Wollongong I observed the education facilities they had at that school, so I know how important this is. Students at the Murrumbidgee education centre also have access to classes in literacy, numeracy, art, music, woodwork, metalwork, construction, hospitality and physical education—a proud list. This represents a blend of traditional classroom teaching and vocational education.

The ACT government also focuses on the best future for our detained citizens, renegotiating contracts with education providers to provide better targeted delivery of literacy and numeracy skills to detainees at the Alexander Maconochie Centre. That change reflected the fact that, as a jurisdiction, we are still learning about how to enhance our prison system and we always want to be responsive to the learning needs of our students. Detainees are assessed pre-training and after a short period of exposure to the educational program in order to identify strengths, weaknesses and general improvement.

Between July and December 2011, 228 detainees completed an individual learning plan and an Australian core skills framework assessment. This program is getting results. As of 13 December 2011, 36 students had been retested for foundation skills improvement. Of this number, 28 were found to have improved by at least one level in two or more skill indicators—a very positive result for detainees and a reflection of the quality of education programs at the AMC. The most recent figures confirm that almost 90 per cent of ACT detainees were undertaking some form of recognised vocational education. The national jurisdiction's average is just 35 per cent. This is just one example of how the ACT government recognises the opportunities that education can provide and ensures that everyone can access education if they so wish.

The Gallagher Labor government is also responsive to local needs, successfully applying for federal funding for a trade centre to be located in Tuggeranong. The Tuggeranong trade centre will provide training and employment pathways in the areas of automotive, construction, horticulture and hospitality. These qualification areas are on the national skills shortage list and have been endorsed by local employers as skills in demand locally. I recently attended the opening of the north side national trade training centre at St Francis Xavier college in Florey. I was very impressed by the centre and the enthusiasm of the staff and the students in relation to its potential. The trade training centres are another initiative of the Gallagher Labor government, along with the federal government, to enable trainers and educators to be highly responsive to the dynamic commercial environment.

The government has also recently established a Tuggeranong re-engaging youth network board which met for the first time in February 2012. The board aims to develop strategies and action plans for marginalised or disengaged youth, young people, that are aligned to ACT youth commitment objectives. Three further re-engaging youth network boards are currently being established. As I said, one is in Tuggeranong, one is being established in Belconnen and one is in Gungahlin. The chairs of these youth network boards have been appointed this week.

The purpose of these youth network boards is to bring a greater level of understanding, cooperation and coordination across all providers and agencies working to support young people who are disengaged from education and training or at risk of disengaging. The aim of this group is to develop a strategy and action plan that are aligned to the ACT youth commitment activity and to identify and communicate current pathways for re-engagement of youth and future pathway opportunities. The board will report to the Director-General of the Education and Training Directorate through the re-engaging youth leadership group. Action plans will be approved by the Director-General of the ETD or their delegate.

Another good program that has been funded through the ACT government and has been going for a quite number of years—I think 10 years now—is the SPICE program that is run by Volunteering ACT, which re-engages young people referred by schools by working in the workplace. This program attracts hundreds of young people and has a great success rate. It is another example of assisting young people between years 7 and 10 to continue with their education and not disengage before they do their year 10 certificate and then, hopefully, go on to further training or year 12. Madam Assistant Speaker, unlike those opposite, we have a real, living and responsive plan to educating our young people.

It would be unfair of me not to mention within the context of Catholic Schools Week that I was fortunate enough earlier this week to attend an important event at St Michael's primary school in Kaleen—a breakfast, attended by Mr Doszpot and Dr Bourke. As mentioned yesterday, Mrs Dunne, Mr Seselja and Mr Coe were all there as well. I think we could have had an Assembly meeting at that place. As is usual every year—a number of us have been attending for a number of years—it was a great opportunity to share with the students, the teachers and the other staff in the Catholic education system there.

Madam Assistant Speaker, I commend our education system to you. I think the ACT can be proud of its achievements. This Labor government shares the same commitment to quality education as—(*Time expired.*)

MR SESELJA (Molonglo—Leader of the Opposition) (4.31): I would like to contribute just briefly. I thank Alistair Coe for bringing this matter forward. It is a very important issue. Mr Barr wants me to finish earlier than 4.36, it seems, but I have got five minutes. Education in Canberra is a very important issue. There are a number of aspects to it and a number of those have been touched on by Mr Doszpot and Mr Coe.

I wanted to come back to the issues around the Chief Minister and her attitude to non-government schools. Whilst she jumped up and down yesterday, the facts are these.

These are the things she has voted for on the record. Ms Gallagher has voted for what is effectively a very hostile form of language towards non-government schools and towards educational choice. This is a hostile form of language which the Canberra Liberals condemn and do not support in any way.

Ms Gallagher could have come out at any time in the last few years and said: “I was wrong. That was divisive and that was not respecting parental choice. It was not respecting the wonderful contribution that has been made by Catholic and independent schools in Canberra.” She has had that opportunity. She has chosen not to do so. We can only speculate as to why she has allowed that sentiment to stand. As the leader of the Labor Party in this place, she will be held to what she does—not just in the Assembly but at Labor Party conferences too, because if the Labor Party conference changes its policy that has implications for the ACT, particularly when the Labor Party is in government. It has serious implications for the non-government sector.

Ms Gallagher can jump up and down all she likes but, in the end, it is an aggressive and hostile sentiment that has been expressed by her and a number of her colleagues towards non-government education in the ACT. Non-government education is not divisive. It is not fragmenting Australians or Canberrans along ethnic and religious lines. It is a legitimate choice that should be celebrated. It is a legitimate choice which actually has a lot of other public benefits as well, of course, because by people contributing some of their own money to non-government education it frees up more government money across the board.

We know that years ago back in Goulburn that very point was made, which is why we started to see funding from the government for Catholic schools and independent schools. The point was made: “If we can’t afford to educate them, you can educate them all and the burden on the taxpayer will be great.” So we should be celebrating that choice. We should be celebrating the fact that we can invest in our public system and we should invest heavily in that system to make it an excellent system. Likewise, we should not be at all hostile to those who choose a different path, who choose to put some of their own funds directly into their child’s education. We should also be supporting them in that choice. Ms Gallagher has been on the record as being hostile to that and hostile to that sector.

I would make one other point before I finish. When it comes to education, Ms Gallagher has not shown herself to be honest on questions around what the government will do. When they come out before this coming election and Ms Gallagher says, “We won’t be defunding non-government schools,” we should take that with a grain of salt because it was Ms Gallagher who said before the 2004 election that she would not be closing any schools. She went to the electorate and she told porkies. We believe it is unacceptable right before an election to say there will be no school closures and then, weeks after the election, change your mind and completely renege on that promise. When we go to this next election we should have account of the Chief Minister’s record when it comes to promises on education and a whole range of other areas.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): The time for this discussion has expired.

Mr Barr: On a point of order, Madam Chair, I seek your ruling on the question of the phrase “telling of porkies”. Has that been ruled upon as unparliamentary before?

MADAM ASSISTANT SPEAKER: I will consult with the Clerk. I fear there may be a precedent on this and I would not wish to go against it. The Clerk informs me that he believes it has been ruled out of order in the past.

Mr Barr: Perhaps I would seek your assistance in asking the Leader of the Opposition to withdraw that statement, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: Mr Seselja, given the comment that it has been ruled out of order in the past, I would seek your assistance in withdrawing that comment.

Mr Seselja: I withdraw.

MADAM ASSISTANT SPEAKER: Thank you, Mr Seselja.

Land Rent Amendment Bill 2012

[Cognate bill:

Duties Amendment Bill 2012]

Debate resumed from 29 March 2012, on motion by **Mr Barr:**

That this bill be agreed to in principle.

MADAM ASSISTANT SPEAKER (Ms Le Couteur): I understand it is the wish of the Assembly to debate this bill cognately with executive business order of the day No 4, the Duties (Amendment) Bill 2012. That being the case, I remind members that in debating order of the day No 3, executive business, they may also address their remarks to executive business order of the day No 4.

MR SESELJA (Molonglo—Leader of the Opposition) (4.37): At the outset I will say what the Liberal Party’s approach will be to the two bills, because it will be different. In relation to the Land Rent Amendment Bill, we will not be opposing that. Whilst we do not support the land rent scheme, we do not see anything in particular in these amendments that we have an objection to. We think that there may well be some improvement in the land rent scheme, albeit minor, through these amendments, so we will not be opposing them. When it comes to the second aspect, the Duties Amendment Bill, we will not be supporting the bill. I will get to the reasons for that in a moment.

There are a lot of unfinished sentences in the saga of the government’s land rent scheme. ACT Labor developed some fairly polished lines to sell this scheme, but it failed to mention some of the key corollaries. Here is an example. They had an ad in the *Canberra Times* that said: “The Scheme will allow eligible households to pay rent on land rather than purchase it. It will help a number of households who might not otherwise be able to buy their own home to have access to the housing market.” At the

time, the government failed to follow up with the fact that there was no lender willing to underwrite people who signed up for the scheme.

Mr Barr continues the rhetoric. He tells us that this scheme will “assist households to purchase their own home”, but he is silent on the fact that one of the benefits of owning a home is the way the land value increases over time to match or even outpace cost of living increases. In other words, while it may allow some who otherwise may not be able to own a home to buy a house, the scheme denies these homeowners gains on land value increases. In fact, it perpetuates the two-class Canberra that Mr Barr has referred to.

This is the government’s message. The land rent scheme, make no mistake, is the government’s message to members of our community—we heard it from Mr Barr again this week—that they will never own their own house and land package; they will never have that opportunity and the security that goes with that. These are the people this government has given up on. They are saying to them: “You can have land rent. You can rent the land.” I will get to how they treat some of those people when we get to the Duties Amendment Bill, which is why we will not be supporting that.

When we looked at what industry had to say, we saw that the reason the government took so long to find lenders for this scheme was that there were some inherent problems in the scheme. It was too risky. Here is what they had to say. We had St George Insurance saying:

... there was no appetite for participating in the scheme for the following reasons. In the event of a borrower default it would be difficult to distinguish house versus land value upon the sale to repay the housing loan.

Genworth Financial went further. They said:

The cost of construction may not equal the value of the dwelling. Without the land component balancing out any negative equity issues realised in the value of the dwelling it is possible from the outset that the borrower may, in fact, have negative equity.

I again point to the fact that this is what the Labor Party are consigning some members of our community to. They are saying: “You will never own a house and land package. And you will, therefore, have to use the land rent scheme.” What Genworth Financial are saying to them is, “You may actually find yourself in negative equity immediately.”

That is a really serious thing. We know that one of the great benefits of homeownership has been that over time the appreciating land asset puts people in a better position. It has been true in Australia across the board over, particularly, the last 50 or 60 years. We have seen a great boom in homeownership. With that ownership of homes, which includes the land, we have seen people who otherwise do it pretty tough scraping together money to pay their mortgage but seeing that capital growth. They look back after 10 or 20 years and, having scraped that money together, they see themselves having something of value—actually having equity in their home, having an asset that they can sell if they choose to or that they can borrow against if they choose

to. This is something that has been taken away from these people. The government is saying to them: “You will never have that. You can have land rent.”

We had a broker commenting on it. They said, “How the government were misguided enough to actually introduce the legislation in the first place is way beyond me, because if they knew anything about lending practices they would realise that it has nothing to do with global economic crises or anything like that.”

But there is more. Even the Auditor-General thought that the land rent scheme was a bad idea and represented a risk to the territory. The Auditor-General’s report said that the crux of the affordability problem in the ACT was this:

Land development and supply policy and programs in recent years have not been effective in achieving the Government’s stated objectives, which include meeting demand, providing affordable land and housing and establishing an inventory of serviced land ...

Despite the current accelerated land programs, there was evidence of a shortage of the supply of residential land, capable of being built on, to meet the pent-up and on-going strong demand.

We know that there have been residents vocally criticising the scheme—perhaps no-one more eloquently than RS Gilbert of Braddon. He said that “under such a scheme the benefit of increases in the land’s value over the years would accrue to the Government rather than the lessee, thus leaving the lessee with equity only in the house itself”. He said, “And as Australia’s biggest mortgage insurer explains, that’s insufficient to get a loan.”

Just recently, perhaps in the last few days, we received the following correspondence:

Like most Australians we have found it hard to save for a deposit because of the high rent we have to pay not to say we are unhappy with our current rental we are very happy here. We heard of the land rent scheme ...

We went to the compulsory seminar about the land rent scheme only to find that we were the only people there who were first time buyers, and a large majority of people where not from Canberra but from Sydney looking at getting a second property. This I found most strange as the whole point of the scheme is to help people get into the property market not for the benefit of people already in the market.

That is a good point. The correspondence continued:

Since then we have been busy trying to get land from the ballot as well as a home loan and have found that only two lenders will deal with the land rent scheme and that causes another problem in itself. CPS and bank Mecur are the only lenders that will lend for the land rent scheme.

So we see problems across the board. From some questions we have asked in relation to the progress of the land rent scheme, we have also seen that we are seeing some problems emerging. In 2008-09, of the 58 contracts exchanged, none were handed

back. In 2009-10, 416 contracts were exchanged and 23 were handed back. That was an 18 to one ratio. In 2010-11, 768 contracts were exchanged and 113 were handed back, a seven to one ratio. What is telling is that, on the figures we were given for the 2011 financial year up to December 2011, of the 182 contracts exchanged—which is obviously a lot less, even for the six-month period—91 were handed back, which is a two to one ratio.

Clearly, there is a pattern here of people becoming less and less satisfied or the scheme not working in the way the government claimed that it would work. So we continue to have issues with the design of the scheme.

In relation to the bill, as I said earlier, these changed clauses will potentially have some benefit in the context of the flawed scheme. Allowing organisations like Community Housing Canberra to access the scheme at the two per cent discount rate—we have no issue with that. Excluding Housing ACT from accessing the scheme—we accept the government's logic on that. The two per cent discount rate payable will be able to be accessed from the date of application—that seems reasonable. It omits the hardship test to qualify for the two per cent discount rate—I understand that; it seems to be a consequential amendment from clause 9. And clarifying procedures for ACT Revenue Office if leaseholders do not hand in their paperwork by the required time frame—we do not have a problem with that. So we will not be opposing this legislation today.

In relation to the Duties Amendment Bill, though, we have an issue. The issue is that we have a government saying they are going to help first home buyers; they are going to help those whom they have locked out of the market. They are offering this inferior product where they do not get the benefit of landownership. But they want to charge them stamp duty. I find that a bit strange. I find it strange that the government is saying to those people, “You can rent the land, but you have to pay stamp duty as if you own the land.” I do not think that is fair. I do not think it is fair to say to low income earners—which is who should mainly be accessing the land rent scheme—that they should be paying for something when they are not actually getting it, paying duty on something that they are just renting. Whether they are low income earners who might get some concessions or middle income earners who will not get concessions, why should they have to pay for something they are not actually receiving? Many of these people will never buy, so they will have paid stamp duty for something that they do not actually own.

It is frustrating enough to pay the levels of stamp duty that are levied on homebuyers in the ACT at the moment. A medium-priced house is going to set most people back over \$20,000 in stamp duty. That is frustrating enough. But at least in those circumstances people get the benefit of ownership of that land. The government is saying, “In the land rent scheme, you don't get the benefit of the ownership of the land, but we'll still charge you as if you do.” They get the worst of all worlds. I do not think that is right. I do not think that is reasonable. And that is why we do not support that aspect.

We do not support this bill. It is unreasonable. It is actually a real slap in the face to this segment of our community. The government on the one hand is saying, “You are

the part of the community who will never own a home.” That is because the government has made it so difficult to purchase a house and land package. On the other hand, they get this flawed land rent scheme, which Genworth Financial says will probably put them into negative equity, possibly right from the start. And then, just to compound it, and maybe to make that negative equity situation even worse, it says, “We’re actually going to charge you stamp duty for something that you’re not owning.”

We cannot in good conscience support that. I find it extraordinary that the government thinks it is reasonable to levy stamp duty on rent, on the rent of land. These people are not getting the benefit of ownership. They should, therefore, not be treated in the same way homebuyers are. They should not be doubly penalised. They do not get the benefit of owning the land, but they do get the taxes associated with buying the land. That is unreasonable. We therefore will not be supporting the Duties Amendment Bill.

MS HUNTER (Ginninderra—Parliamentary Leader, ACT Greens) (4.49): The Greens will be supporting both these bills.

The land rent bill contains sensible initiatives that the Greens are happy to support. There are a number of technical changes that primarily improve the administration of the scheme following the implementation review.

The Greens agree that clarifying the provisions in relation to the scheme concession is a good idea. The changes proposed in the bill will simplify the process, making it easier to administer for the Commissioner for Revenue and clearer for participants in the land rent scheme.

The bill proposes a reasonable scheme to ensure that those who succeed in their applications for concessions continue to qualify for those concessions.

The Greens also support the delegation of a power to the commissioner to determine that affordable housing providers are entitled to pay discounted land rent for land rent leases. This is a good idea. The Greens certainly agree that the government should be helping community housing providers to provide that affordable housing.

Equally, it is not appropriate to provide the discount to ACT Housing, who should be separately funded—and, I would say, better funded—through the budget. Addressing housing affordability is a very challenging issue. The importance of increasing our public housing stock and ensuring that we can provide for all those in our community who are most in need cannot be overstated.

The Greens support the land rent scheme and agree that it has made homeownership possible for many who might not otherwise have been able to achieve it.

In relation to the Duties Amendment Bill, the Greens support the clarification that it is the full value of the lease that is liable to a duty payment when a land rent lease is transferred, and therefore support the bill.

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism, Sport and Recreation) (4.51), in reply: I thank

members for their contributions to the debate. As members would be aware, the Land Rent Amendment Bill will improve the operation of the current scheme. It has been a successful policy, designed and implemented in the territory. The scheme was implemented as one of the recommendations of the ACT's unique affordable housing action plan. We are the only state or territory to provide this innovative scheme to address housing affordability.

The scheme has been developed to take advantage of the ACT's leasehold system. It allows households to rent the land from government so that they only have to take out a mortgage on the house component of a home loan. This, of course, has the benefit of significantly reducing their up-front costs and their weekly mortgage repayments. The scheme assists some households, who might otherwise have been unable to enter the private housing market, to purchase their own home. By reducing the barriers to entry and lowering the ongoing costs, it provides significant benefits to many households who have chosen to participate in the scheme.

Members would also be aware that the scheme has received national and international attention, with the ACT leading the way in providing affordable housing. Overall, the scheme has been very successful. Five hundred and forty-nine land rent contracts settled with a crown lease have been registered. A further 587 contracts have been exchanged. Due to the scheme, more than 1,000 households have been able to enter the housing market, households who may have been unable to do so without access to the scheme.

I was very pleased recently to announce that the scheme was being supported by a second financial institution, bankmecu. This is undoubtedly a very positive development. The government will continue to provide information sessions for those seeking to utilise the scheme run by the Canberra Institute of Technology. I understand that since the scheme was put in place in July 2008 the sessions have attracted nearly 3,000 people.

Government has undertaken an internal post-implementation review of the scheme to determine whether the policy has met its original objectives. This review was undertaken after the scheme had been in place for an appropriate period. The post-implementation review included an assessment of the administrative processes between government directorates and whether any legislative provisions needed adjustment.

The Land Rent Amendment Bill 2012 contains a number of legislative amendments that will improve the operation and effectiveness of the scheme. The proposed amendments to the Land Rent Act 2008 are, indeed, aimed at improving the operation of the scheme. They will keep a focus on the objective, to provide greater access to affordable housing in the territory.

Community Housing Canberra will be one of the significant beneficiaries of the proposed amendments in the bill. They play a very important function within the territory. They are recognised as an affordable housing provider and provide community housing to eligible Canberrans. Under the current legislation, CHC are able to access the scheme at the standard rate of four per cent. This amendment will

allow them to access the scheme at the discount rate of two per cent. Allowing CHC to access the scheme at the discount rate will allow them to offer a homeownership product to their tenants, with a target for transition from tenancy to full ownership. So this amendment will provide more Canberrans with access to affordable housing choices.

The bill proposes that Housing ACT be excluded from accessing the scheme. An evaluation of the policy found that it would not be appropriate for Housing ACT to access the scheme. As a government-owned agency, there are more direct and transparent means available to provide finance through the annual budget process.

A principle of the scheme is to maintain flexibility and allow for changes in circumstances of Canberra households. Under current legislation, households are only able to move from the standard to the discount rate immediately, as opposed to annual assessment time, if they can demonstrate hardship.

An evaluation of the scheme found this policy to be burdensome, and the amendments proposed in the bill should abolish this delay. This would mean that all households who apply for the discount rate will be able to access it from the date of application should they be eligible for that rate. They will no longer have to go through the difficult and lengthy process of proving hardship.

The bill also contains other minor amendments to streamline processes for the ACT Revenue Office, which will improve the scheme's administrative efficiency.

The government is committed to releasing 18½ thousand dwelling sites over four years, and many of these will have the land rent scheme option available. Land rent is available on new single-residential blocks of land released by the LDA. Contrary to suggestions, it is not the government or the LDA which nominates the blocks available for land rent. Rather, households make that choice when they choose which block to rent.

The land rent scheme has added another housing alternative for households to choose to achieve their goal of homeownership. The government—and we have expressed this on many occasions—is disappointed that those opposite have not supported the scheme since its introduction. However, I do acknowledge their support for this bill today. It is a practical step towards improving the operation of the scheme, and I commend it to the Assembly.

In relation to the Duties Amendment Bill 2012, it clarifies the intended value of a land rent lease for the assessment of duty. The land rent scheme is part of the government's affordable housing action plan and does provide the opportunity, as I have said, for people to own a house sooner than would otherwise be possible, by reducing the up-front costs of financing the purchase of land and construction of a home on that land.

Households participating in the scheme, though, are able to purchase the land at any time. They do this by applying to the Planning and Land Authority for a lease variation to reduce the land rent payable to a nominal rent. Under section 22(3) of the Duties Act, the granting of a land rent lease by the Planning and Land Authority

attracts a duty on its value as determined by the authority. This value is the amount that would have been paid for the crown lease had the person opted to purchase the crown lease outright, that is, with no land rent condition attached to the block.

When the land rent lease is transferred from one lessee to another, its value for duty purposes is the greater of the consideration paid and its unencumbered value. This is exactly the same as for a normal crown lease. It has always been the intention that for duty purposes the unencumbered value of the land rent lease would be no different to that of a normal crown lease.

The ACT Revenue Office has been assessing the dutiable value for a transfer of a land rent lease based on the unencumbered value in the same manner as for a normal crown lease. A small number of valuers have suggested that, in their view, the land rent lease has only nominal value. However, the advice received from the Australian Valuation Office and the economic analysis indicate that the dutiable value of the land rent lease is not reduced by virtue of the lessee taking the land rent option. It would, therefore, be incorrect and inequitable to treat the transfer of a land rent lease as having a lower value than the standard crown lease for duty purposes.

This is particularly so when the land rent lease can be converted to a standard residential lease at any time after a transfer. It should be noted that duty is not charged on the conversion of a land rent lease to a standard crown lease. So these amendments clarify that the dutiable value of a land rent lease will have the same unencumbered value as a normal crown lease.

Let me be very clear, because the Leader of the Opposition would appear not to understand, this bill does not increase taxation, nor does it represent a change in policy. Its sole aim is to make the legislation explicit as to how land rent leases are to be valued when transferred. It closes a potential loophole and will ensure that leases are treated in the same manner as other crown leases and attract the appropriate duty.

So I commend both bills to the Assembly. But before I close, I think it is important, given the opening comments of the Leader of the Opposition and the press release that has been put out in relation to my response to a question, either from you, Madam Assistant Speaker, or from Ms Bresnan, in relation to the government's affordable housing strategy—and the question essentially was, “Would the strategy be broader than just homeownership?” and my answer to that was yes, indeed it would—to note that there are many people, in many different circumstances, whether in the latter stages of their life or in the earlier stages of their life, for whom homeownership may not be an objective that they seek at that time. But they would have an entitlement to be able to access affordable housing.

In that instance, their preference may well be through rental because of their personal circumstances. It may be that they do not want to commit to a 25 or 30-year mortgage, for example. It may well be that they do not want to commit to living in a particular city for a period. So their preference would be to rent. I think it is entirely reasonable that a housing affordability strategy would be broader than just simply pursuing homeownership.

I think the travesty is—and this is the disappointing element for everyone who does not fit the Leader of the Opposition’s view of “this is how you should live”—such people are entirely excluded. So his view, as expressed in this media release, is that if you do not conform to his view then there should not be any policy attempt to address the issues that you might confront.

In responding to a legitimate question from the crossbench in question time in relation to the breadth of the government’s policies—will they go beyond just homeownership?—yes, they will, and they do. And I think it is entirely appropriate that those policies be broader, because there are many reasons why people may not have the objective of pursuing homeownership. There are many and varied reasons why people may not choose that. And that is a perfectly legitimate position.

I would not have thought that a party that professes to support choice in so many areas of life would be running a line that everyone must own a home and that the only objective of public policy should be to assist those people who want to own a home. But there are many people, as I say, for a variety of reasons, including where they are in their lifecycle, their particular employment priorities, who may not wish to purchase but who have a legitimate entitlement to seek affordable housing and would want from government a broad range of policies that would assist them in meeting their housing needs. It is very disappointing, and I think it has been stated by a number of commentators already that the approach that the Leader of the Opposition takes that it is “own your home or nothing”—

Mr Coe: Which commentators?

MR BARR: Amongst others, the online commentary on the RiotACT. I did enjoy that particular piece of analysis. I will have a shout-out to the gang at RiotACT who provide a very interesting coverage of territory politics. But I was very pleased to see a number of people, in their comments in relation to the press release that the Leader of the Opposition put out, recognise the—

Mr Coe: Check the IP address. I bet they all came from your office.

MR BARR: Hardly.

MADAM DEPUTY SPEAKER: Mr Coe, stop interjecting please.

MR BARR: They recognise the flaws in the Leader of the Opposition’s policy position. The government has the view that there is a breadth of policy response required, that housing affordability is about more than just homeownership, that housing affordability and access to housing in the housing continuum and people’s opportunity to access affordable housing through different stages of their life are important and policy should be broadly set on that basis.

But having made those observations, I commend both bills to the Assembly. I thank the Liberal Party for their support of at least one of them and the Greens for their support of both pieces of legislation. It is perhaps not surprising that when it comes to

delivering constructive outcomes for Canberrans, the Labor Party stand firm. We welcome the support of the Greens and we get only partial support from the Liberal Party. But that is to be expected this close to an election, one would presume.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Duties Amendment Bill 2012

Debate resumed from 29 March 2012, on motion by **Mr Barr**:

That this bill be agreed to in principle.

Question put.

The Assembly voted—

Ayes 9

Noes 4

Mr Barr
Dr Bourke
Ms Bresnan
Ms Burch
Mr Corbell

Ms Hunter
Ms Le Couteur
Ms Porter
Mr Rattenbury

Mr Coe
Mr Doszpot
Mrs Dunne

Mr Smyth

Question so resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

Motion (by **Mr Corbell**) proposed:

That the Assembly do now adjourn.

Crace Pets Party in the Park

MR COE (Ginninderra) (5.11): On Sunday 29 April I was pleased to attend the inaugural Pets Party in the Park held at Linear Park in the ever expanding suburb of Crace. I was pleased to attend with some four-legged friends including Bindi, Meg and Bruno.

With a strong message of responsible pet ownership at the event, the Crace pets party was another opportunity to promote links to the community for residents of this emerging suburb.

Over 300 people attended the community gathering, many to catch a glimpse and get some advice from Bondi vet Dr Lisa Chimes. People also had an opportunity to meet Dr Matt Almond from the Small Friends Veterinary Clinic in Amaroo; he was on hand to give advice. The Belconnen Dog Obedience Club showcased some fantastic tricks from some very clever dogs and owners. Many prizes were won as Michael Linke from the RSPCA judged the best trick competition which was sponsored by Hill's pet food.

The event also provided an opportunity to promote the RSPCA's Million Paws Walk which will be held at Commonwealth Park on Sunday the 20th of this month. Aussie Pooch Mobile washed many dogs and donated a considerable sum to the event and the Gungahlin Lions Club generously provided refreshments, with many bacon and egg rolls being consumed throughout the day.

ACT Playgroups took the opportunity of the event to promote the newly launched Crace playgroup by conducting some animal-themed arts and crafts activities for the kids. The playgroup is currently operating out of the Palmerston community centre and more information can be found at www.playgroupaustralia.com.au.

It was a very pleasant way to spend a lovely autumn morning in Canberra and I would like to encourage everyone to visit www.crace.com.au to find out more about upcoming community events in the suburb.

Congratulations to all the organisers and participants, particularly Lisa Ridgely from Morris Walker, who ensured the day was a great success.

Question resolved in the affirmative.

The Assembly adjourned at 5.14 pm until Tuesday, 8 May 2012, at 10 am.

Schedules of amendments

Schedule 1

Energy Efficiency (Cost of Living) Improvement Bill 2012

Amendment moved by Mr Rattenbury

1

Clause 10 (5)

Page 6, line 3—

omit clause 10 (5), substitute

(5) A determination is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

Schedule 2

Energy Efficiency (Cost of Living) Improvement Bill 2012

Amendments moved by the Minister for the Environment and Sustainable Development

1

Clause 19 (1) (g)

Page 12, line 8—

omit clause 19 (1) (g), substitute

(g) any other information reasonably required by the administrator to help the administrator work out if a supplier has met the supplier's obligations.

2

Clause 19 (1), proposed new note

Page 12, line 10—

insert

Note 2 The Legislation Act, s 170 and s 171 deal with the application of the privilege against self-incrimination and client legal privilege.

3

Clause 25 (2)

Page 18, line 6—

omit clause 25 (2), substitute

(2) An approved code of practice is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

4

Dictionary

Definitions of tier 1 electricity supplier and tier 2 electricity supplier

Page 45, line 1—

omit the definitions, substitute

tier 1 electricity supplier means an electricity supplier that—

has at least 5 000 customers in the ACT; and

sells at least 500 000MWh of electricity to customers in the ACT annually.

tier 2 electricity supplier means an electricity supplier that is not a tier 1 electricity supplier.

Answers to questions

Health Directorate—crisis assessment and treatment team (Question No 2098)

Mr Hanson asked the Minister for Health, upon notice, on 20 March 2012:

- (1) What is the total number of requests made to the ACT Crisis Assessment Team (ACAT) to attend incidences not on ACT Health Facilities, between the hours of 6pm and 6am for (a) 1 January to 28 February 2011, (b) 1 March to 30 April 2011, (c) 1 May to 30 June 2011, (d) 1 July to 31 August 2011, (e) 1 September to 31 October 2011, (f) 1 November to 31 December 2011 and (g) 1 January to 29 February 2012.
- (2) What is the total number of incidences the ACAT attended not on ACT Health facilities, between the hours of 6pm and 6am for (a) 1 January to 28 February 2011, (b) 1 March to 30 April 2011, (c) 1 May to 30 June 2011, (d) 1 July to 31 August 2011, (e) 1 September to 31 October 2011, (f) 1 November to 31 December 2011 and (g) 1 January to 29 February 2012.

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

- (1) The breakdown of the data is not specifically recorded and a manual audit of clinical records would be required to determine the number of requests made to Crisis Assessment and Treatment Team (CATT) to attend an incident. I can confirm however that:

Calls received at triage

| | | |
|-----|--------------------------------|-------|
| (a) | 1 January to 28 February 2011 | 4,799 |
| (b) | 1 March to 30 April 2011 | 4,151 |
| (c) | 1 May to 30 June 2011 | 4,512 |
| (d) | 1 July to 31 August 2011 | 4,207 |
| (e) | 1 September to 31 October 2011 | 4,847 |
| (f) | 1 November to 31 December 2011 | 4,229 |
| (g) | 1 January to 29 February 2012 | 4,679 |

- (2) The total number of incidences the CATT attended not on ACT Health facilities, between the hours of 6pm and 6am for:

| | | |
|-----|--------------------------------|-----|
| (a) | 1 January to 28 February 2011 | 311 |
| (b) | 1 March to 30 April 2011 | 255 |
| (c) | 1 May to 30 June 2011 | 247 |
| (d) | 1 July to 31 August 2011 | 298 |
| (e) | 1 September to 31 October 2011 | 302 |
| (f) | 1 November to 31 December 2011 | 336 |
| (g) | 1 January to 29 February 2012 | 330 |

**Calvary Public Hospital—staff
(Question No 2099)**

Mr Hanson asked the Minister for Health, upon notice, on 20 March 2012:

- (1) In relation to the answer to question on notice No 1714, what is the allocated number of full-time equivalent (FTE) staff category for Hospital in the Home at Calvary Public Hospital.
- (2) What is the number of FTE staff currently employed at Calvary Public Hospital.
- (3) If the allocation of staff for Hospital in the Home at Calvary Hospital is not fully utilised, why not.

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

- (1) At 12 April 2012 the Calvary Hospital, Hospital in the Home (HITH) comprised 4.4FTE.
- (2) At 31 January 2012 Calvary Hospital FTE was 883.55.
- (3) The existing HITH staff are fully utilised.

**Alexander Maconochie Centre—incidents
(Question No 2100)**

Mr Hanson asked the Attorney-General, upon notice, on 20 March 2012 (*redirected to the Minister for Corrections*):

What is the total number of (a) emergency code calls made, (b) assaults on correctional officers and (c) prisoner behavioural breaches recorded, at the Alexander Maconochie Centre for (i) 1 January to 31 March 2010, (ii) 1 April to 30 June 2010, (iii) 1 July to 30 September 2010, (iv) 1 October to 31 December 2010, (v) 1 January to 31 March 2011, (vi) 1 April to 30 June 2011, (vii) 1 July to 30 September 2011 and (viii) 1 October to 31 December 2011.

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

- (a) The number of emergency code calls made at the Alexander Maconochie Centre in the specified time periods were as follows:

| | | |
|--------|-------------------------------|-------|
| (i) | 1 January to 31 March 2010 | – 81 |
| (ii) | 1 April to 30 June 2010 | – 99 |
| (iii) | 1 July to 30 September 2010 | – 111 |
| (iv) | 1 October to 31 December 2010 | – 75 |
| (v) | 1 January to 31 March 2011 | – 69 |
| (vi) | 1 April to 30 June 2011 | – 58 |
| (vii) | 1 July to 30 September 2011 | – 41 |
| (viii) | 1 October to 31 December 2011 | – 51 |

These figures include all code categories: medical emergency; prisoners fighting; staff member assaulted; fire; prisoner disturbance or riot; hazardous material, spillage or leaks; hostage situation; escape or attempted escape; breach of external perimeter by external source; and death.

(b) The number of assaults on correctional officers at the Alexander Maconochie Centre in the specified time periods were as follows:

| | | |
|-------|-------------------------------|-----|
| (i) | 1 January to 31 March 2010 | – 0 |
| (ii) | 1 April to 30 June 2010 | – 1 |
| (iii) | 1 July to 30 September 2010 | – 1 |
| (iv) | 1 October to 31 December 2010 | – 0 |
| (iv) | 1 January to 31 March 2011 | – 1 |
| (v) | 1 April to 30 June 2011 | – 0 |
| (vi) | 1 July to 30 September 2011 | – 0 |
| (vii) | 1 October to 31 December 2011 | – 2 |

(c) ACT Corrective Services' records indicate that the number of prisoner discipline breaches in the specified time periods is as follows:

| | | |
|-------|-------------------------------|-------|
| (i) | 1 January to 31 March 2010 | – 258 |
| (ii) | 1 April to 30 June 2010 | – 215 |
| (iii) | 1 July to 30 September 2010 | – 269 |
| (iv) | 1 October to 31 December 2010 | – 211 |
| (iv) | 1 January to 31 March 2011 | – 182 |
| (v) | 1 April to 30 June 2011 | – 169 |
| (vi) | 1 July to 30 September 2011 | – 166 |
| (vii) | 1 October to 31 December 2011 | – 129 |

Alexander Maconochie Centre—drug testing (Question No 2101)

Mr Hanson asked the Minister for Corrections, upon notice, on 20 March 2012:

- (1) What is the total number of drug tests by urinalysis conducted in the Alexander Maconochie Centre (AMC), by month, between 1 December 2010 and 30 November 2011.
- (2) In relation to those tests referred to in part (1), what was the number of tests conducted (a) upon entry to the AMC, (b) based on information 'targeted tests', (c) as part of rehabilitation programs and (d) randomly.

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

- (1) The total number of drug tests by urinalysis conducted in the Alexander Maconochie Centre between 1 December 2010 and 30 November 2011 is as follows:

| | |
|---------------|------|
| December 2010 | – 2 |
| January 2011 | – 1 |
| February 2011 | – 39 |
| March 2011 | – 78 |

| | |
|----------------|-------|
| April 2011 | – 109 |
| May 2011 | – 96 |
| June 2011 | – 62 |
| July 2011 | – 39 |
| August 2011 | – 67 |
| September 2011 | – 51 |
| October 2011 | – 66 |
| November 2011 | – 81 |

(2) The number of tests conducted between 1 December 2010 and 30 November 2011 by category is as follows:

| | |
|--|-------|
| (a) Upon entry to AMC | – 454 |
| (b) Based on information ‘ <i>target tests</i> ’ | – 194 |
| (c) As part of rehabilitation programs | – 43 |
| (d) Randomly | – 0 |

In 2009-10 and 2010-11, random tests were conducted in large blocks of tests where the majority of detainees were tested over a short period. This provided a means to maximise random testing without a significant impact on resourcing. It did, however, significantly impact upon the general operation of the AMC (in areas such as program and education attendance) on the days when this testing was conducted.

The Executive Director of ACT Corrective Services was not satisfied that this approach provided the frequency of random testing to deliver ongoing intelligence on drug use in the AMC. She asked for a new approach to be developed.

Monthly random testing is being trialled and draft protocols have been developed, with the goal of a full roll-out in 2012-13.

The existing restraints of the legislation as it applies to random testing are also being examined.

ACTION bus service—bus shelters (Question No 2103)

Ms Bresnan asked the Minister for Territory and Municipal Services, upon notice, on 20 March 2012:

- (1) What is the timeline for work on Adelaide Avenue bus stops.
- (2) What is the expected difference in travel time on the blue rapid route if bus stops are constructed on Adelaide Avenue.
- (3) What is the expected increase in ACTION patronage if new bus stops are constructed on Adelaide Avenue;
- (4) What plans does the Government have to increase bus fleet capacity commensurate with an expected increase in patronage on the blue rapid service, due to new stops on Adelaide Avenue.

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

- (1) A feasibility study on the Adelaide Avenue bus stops commenced in December 2011 and is expected to be completed in August 2012. Design and construction of the feasibility study recommendations are subject to the future budget process.
- (2) The impact on travel time on the blue rapid route is being evaluated as part of the feasibility study.
- (3) Patronage arising from the proposed new bus stops on Adelaide Avenue is being analysed as part of the feasibility study.
- (4) Information from the feasibility study will be used to assess if any new stops on Adelaide Avenue are expected to increase capacity on the bus services. Fleet capacity will be included when planning for the introduction of any new stops and will be subject to the future budget process.

**Transport—intermodal freight hub
(Question No 2105)**

Ms Bresnan asked the Minister for Territory and Municipal Services, upon notice, on 20 March 2012 (*redirected to the Minister for the Environment and Sustainable Development*):

- (1) What is the size of the intermodal freight facility at Kingston, in twenty-foot equivalent units.
- (2) Is the facility, referred to in part (1), still usable; if not, what repairs or work need to be done on the site.
- (3) Is the site currently being leased; if so, to whom and what is the length of this lease.
- (4) When was the site last used, what was it used for and what amount of freight was being transferred through the site.
- (5) Has the Government identified any alternative sites that would be suitable for an intermodal freight hub; if so, where.
- (6) What efforts has the Government made with other governments, and with transport companies, to try and facilitate greater use of rail freight to the ACT.

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

- (1) An intermodal terminal involves the provision of an area of land for a train and a truck to safely transfer containerised cargo, utilising lifting machinery.

As the Kingston site is not currently operational, it is not possible to identify its capacity in twenty foot units. Terminal capacity is a function of a number of factors including land area; cargo volume; the weight bearing capacity of the pavement; the lifting mechanism employed; the hours of operation and the road access to the terminal.

Notwithstanding the above, based on aerial photography, the main building within the Kingston site has an area of approximately 2000m² - 2300m², however it is derelict. Surrounding this building is approximately 16,800m² of hardstanding surface, which excludes the rail lines.

- (2) In relation to the main building, it is not in use because it is derelict. The building is significantly damaged through vandalism and deterioration and cannot be occupied safely in its current condition. The ACT Property Group (within Territory and Municipal Services Directorate) who manage the site have advised that their cost estimate for removing the asbestos roofing, remediating the site and restoring the building to a workable condition is significant.

In relation to the hardstanding area, see below.

- (3) The ACT Property Group currently rents the hardstand area surrounding the derelict building to a small number of businesses who use the space for outdoor storage and light industrial purposes. The fixed terms for these tenancies have expired, and they occupy the space on holding over provisions of the license.
- (4) The ACT Property Group records show that the last formal tenant of the main building vacated the site prior to 2003. The building was then deemed unsafe to be occupied. There is no information available on any previous tenant's freight movements to and from the Kingston site. Since this time, a number of small businesses have rented the surrounding hardstand space for storage and light industrial purposes.
- (5) This will be addressed in the ACT Freight Strategy (Action 27 in Transport For Canberra 2012-2031).
- (6) Through the next stages of planning for East Lake, discussions will continue to be held with NSW government agencies regarding rail operations to the ACT. However, it should be noted that the ACT's location in relation to the port of Sydney, the distribution centres and rail terminals located in south west Sydney, and the Hume Highway, has resulted in interstate freight becoming road focused for the final leg of the journey to and from the ACT. The finalisation of the ACT Freight Strategy is expected to give a clearer picture of the total freight task and will enable a review of opportunities for ongoing heavy rail freight movement.

ACTION bus service—bike and ride facilities (Question No 2106)

Ms Bresnan asked the Minister for Territory and Municipal Services, upon notice, on 20 March 2012:

Can the Minister provide the most up-to-date data for usage of each of the bike and ride facilities in Canberra, including the number of people registered and daily usage.

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

The number of registered users of the bike and ride facilities is;

- 20 access cards issued for Belconnen
- 22 access cards issued for Harrison
- 50 access cards issued for Lyons
- 13 access cards issued for Mawson

Daily usage statistics are not currently available. Bike storage facilities will however be able to be opened with MyWay cards from June 2012. This will provide the ability to collect daily usage statistics from that time.

**ACT public service—staff costs
(Question No 2108)**

Mr Seselja asked the Treasurer, upon notice, on 20 March 2012:

What is the standard administrative overhead used to calculate staff costs for the 2012-13 budget year.

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

- (1) The standard administrative overhead used to calculate staff costs for 2012-13 is \$16,140. Standard overheads are not, however, appropriate in all costing circumstances.

**ACT public service—consultants
(Question No 2109)**

Mr Seselja asked the Minister for the Environment and Sustainable Development, upon notice, on 20 March 2012:

- (1) What was the total cost on consultation for the Draft Transport for Canberra policy.
- (2) What was the total cost of consultation for the Draft ACT Planning Strategy.

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

- (1) \$53,907 (consultation), \$24,250 (design and printing).
- (2) \$234,424 – including GST (consultation).

**Carers and volunteers
(Question No 2111)**

Mr Doszpot asked the Minister for Community Services, upon notice, on 21 March 2012:

- (1) How many people are currently identified as carers in the ACT;
- (2) What is the breakdown of full-time and part-time carers.

- (3) What is the number of carers (a) under 18 years of age, (b) 18 -21 years of age, (c) 21-65 years of age and (d) 65 years and older.
- (4) What programs or initiatives does the Government have in place to target young, that is, under 18 years of age, carers.
- (5) What programs or initiatives does the Government have in place to target elderly, that is, over 65 years of age, carers.
- (6) What is the funding allocation for the years 2011-12 to 2014-15 for these programs.

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

1. There are 34,900 carers in the ACT. The most current ABS data on carers is the 2009 Survey of Disability, Ageing and Carers.
2. Refer to Table 31 *ALL PERSONS LIVING IN HOUSEHOLDS, Carer status by age and sex—2009* ABS 2009 Survey of Disability, Ageing and Carers.
3. Refer above.
4. The ACT Government funds Anglicare ACT to deliver CYCLOPS ACT. The service is for children and young people who have caring responsibility for a member of their family. The service works with the young person and their family, as well as other people identified by the young person as important to their role as a carer, to identify the needs of the young person and their family, and to promote the health and well being of the young person.

The ACT Government funds other programs to support carers in the ACT, across the areas of disability, aged care, mental health and foster and kinship care. These services are not generally targeted to a specific age range, rather they are focussed on individual client need.

5. The ACT Government funds the Carers Advocacy Service (Carers ACT), Community Connections, CatholicCare and Koomarri to work with elderly carers.

The ACT Government also funds other programs to support carers in the ACT, across the areas of disability, aged care, mental health and foster and kinship care. These services are not generally targeted to a specific age range, rather they are focussed on individual client need.

Health Directorate funds Carers ACT to provide counselling, support and referral services to carers of people with a mental illness, including elderly carers. The Home and Community Care program provides funding to Carers ACT. In 2011-12 the funding for services delivered to people over 65 years was \$256,900. In addition a number of other HACC services that provide domestic support, social support and transport all impact on the family unit and provide support to both carers and clients of all ages.

6.

| Service (GST ex) | 2011/12 | 2012/13 | 2013/14 | 2014/15 |
|--|-----------|---|---------|---------|
| CYCLOPS | \$317,348 | Funding in the out years is yet to be determined. In general, community sector organisation Service Funding Agreements are subject to the Community Sector Indexation Rate published in the annual ACT Government Budget Papers. Any adjustment for indexation is made after the ACT Budget is handed down. | | |
| Carers Advocacy Service (Carers ACT)* | \$107,536 | | | |
| Community Connections * | \$243,239 | | | |
| CatholicCare* | \$940,263 | | | |
| Koomarri * | \$775,584 | | | |
| Carers ACT *** | \$256,900 | | | |

*Extension of funding beyond 30 June 2013 is subject to government procurement requirements.

***from 1 July 2012, the Commonwealth will directly fund Carers ACT for services to people over 65 years.

Social welfare—respite care (Question No 2112)

Mr Doszpot asked the Minister for Community Services, upon notice, on 21 March 2012:

Given that the half yearly report noted that 22 426 hours of in own home respite care has been provided this financial year compared to the 2011-12 target of 50 000 hours and that it is suggested that the Minister's directorate is seeking to establish additional services in order to meet this target, can she advise what strategies the directorate is using in order to reach the 50 000 hours target and what agencies have been approached to provide the additional hours.

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

Flexible respite in the ACT is delivered by both the community and government sector.

The additional hours will be purchased through a mixture of block funding and individual support funding, based on the assessed need of individuals. The directorate will allocate funding to agencies to provide additional hours based on the individual's preference and/or the speciality of the provider.

The families are encouraged to approach the contracted agencies in this area, namely Carers ACT, Community Connections, Koomarri, Marymead, Shaw Possibilities, Tandem Respite and Woden Community Services.

Housing—supported accommodation (Question No 2113)

Mr Doszpot asked the Minister for Community Services, upon notice, on 21 March 2012:

- (1) How many houses and units are currently under the management of the directorate or available for people with a disability requiring supported accommodation by (a) type of housing and (b) bedroom numbers.
- (2) How many people are currently on a waiting list.
- (3) What service providers does the directorate have a financial arrangement with to deliver management of supported accommodation.
- (4) What are the terms of the contracts referred to in part (3) in respect of (a) numbers of housing included, (b) value of contract, (c) services provided and (d) length of term.
- (5) How many staff are employed in supported housing accommodation, either managed or leased out by the directorate.
- (6) What has been the annual staff turnover rate in supported housing for the past three financial years.
- (7) How many legal proceedings have been brought against the directorate by or on behalf of residents in the last three years.
- (8) How many references to the Human Rights Commission have been made against the directorate in respect of residents in supported housing.

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

1. Included in the public housing portfolio are 53 properties head leased by Disability ACT (DACT). These dwellings are made up of the following:

Three x 2 bedroom properties.
Eleven x 3 bedroom properties.
Twenty one x 4 bedroom properties.
Nine x 5 bedroom properties.
Nine x 6 bedroom properties.

In addition to the above, over 400 Housing ACT properties are C-Class adaptable or universal design properties. This includes 297 properties for older people recently constructed under the federal stimulus plan.
2. As at 26 March 2012 there are 104 individuals on the DACT registration of interest who are seeking accommodation support services over the next five years.
3. This information has been provided in the Community Services Directorate Annual Report 2010-11, Volume 2, pages 292-295.
4. As above.
- 5 & 6. Please see the table below:

Table 1: Disability Support Officers Directly Employed by Disability ACT

| Financial Year | No of Disability Support Officers (FTE) | Staff Turnover Rate (%) |
|----------------|---|-------------------------|
| 2011/12 | 278 | 6% (to date) |
| 2010/11 | 292 | 10% |
| 2009/10 | 288 | 12% |

Disability ACT does not collate data on the number of staff employed in the Community Sector providing accommodation support services.

7. There have been no legal proceedings brought against the Community Services Directorate by or on behalf of residents in the last three years.
8. The Human Rights Commission referred six matters to the Community Services Directorate in relation to people with disability in supported housing between 2009-10 and 2011-12.

**Chief Minister and Cabinet Directorate—printing costs
(Question No 2116)**

Mr Coe asked the Chief Minister, upon notice, on 21 March 2012:

- (1) What printing has been authorised and undertaken by the Minister's office since she became Chief Minister by (a) name of publication and (b) month published.
- (2) What was the total cost of the printed material referred to in part (1).
- (3) Who approved the content of the printed material referred to in part (1).
- (4) Who was the invoice made out to for each item referred to in part (1).

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

- (1) No publications have been produced under the Executive budget of this Office in the period since I became Chief Minister.
- (2) Nil.
- (3) Not relevant.
- (4) Not relevant.

**Motor vehicles—abandoned
(Question No 2117)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012:

- (1) How many abandoned vehicles were identified on ACT public property each month in (a) 2010, (b) 2011 and (c) 2012 to date.
- (2) How many abandoned vehicles referred to in part (1) were removed within two days after identification.

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

The details of abandoned vehicles identified and removed from public property within two days in 2010, 2011 and 2012 to date are provided in the table in **Attachment A**.

Vehicles are removed by city rangers (within two days) following notification that the vehicle will be removed (via stickers on the car). Please note that some vehicles are removed following notification (by the owners).

Attachment A

| Year / month | No of abandoned vehicles reported to TAMS (notification) | No. of vehicles removed within 2 days of notification |
|-----------------------|---|--|
| 2010 | | |
| January 2010 | 127 | 31 |
| February 2010 | 134 | 31 |
| March 2010 | 153 | 46 |
| April 2010 | 95 | 26 |
| May 2010 | 82 | 27 |
| June 2010 | 111 | 28 |
| July 2010 | 123 | 37 |
| August 2010 | 133 | 36 |
| September 2010 | 97 | 29 |
| October 2010 | 127 | 34 |
| November 2010 | 130 | 33 |
| December 2010 | 125 | 30 |
| 2011 | | |
| January 2011 | 112 | 33 |
| February 2011 | 140 | 35 |
| March 2011 | 144 | 33 |
| April 2011 | 92 | 18 |
| May 2011 | 134 | 35 |
| June 2011 | 101 | 49 |
| July 2011 | 99 | 57 |
| August 2011 | 98 | 58 |
| September 2011 | 110 | 43 |
| October 2011 | 99 | 40 |
| November 2011 | 99 | 56 |
| December 2011 | 78 | 36 |
| 2012 (to date) | | |
| January 2012 | 126 | 46 |
| February 2012 | 93 | 30 |
| March 2012 | 109 | 46 |

As at 31 March 2012

**Trees—removal
(Question No 2118)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012:

- (1) How many dead or dangerous trees were identified for removal in the 2011-12 financial year to date.
- (2) How many of the trees referred to in part (1) have been removed and how many of these trees were replanted.

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

- (1) 911 dead, hazardous or trees in irreversible decline have been identified for removal.
- (2) 110 hazardous or dangerous trees have been removed to date in 2011 12. None of these trees have been replanted.

A further 801 trees will be removed between mid-April and the end of May 2012.

274 trees were planted in winter 2011 and 661 trees were planted in spring 2011. A further 700 trees will be planted in autumn 2012 (starting late April-May), 1000 trees in winter 2012 (starting August-September).

**Roads—fix my street online portal
(Question No 2119)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012:

- (1) How many complaints and/or comments have been recorded as being received through the fix my street online portal, each month in (a) 2010, (b) 2011 and (c) 2012 to date.
- (2) What is the average time taken to address the complaints and/or comments referred to in part (1).

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

- (1) The fix my street service commenced in June 2010.
The monthly breakdown is:

| Month | Submissions |
|--------|-------------|
| Jun-10 | 255 |
| Jul-10 | 409 |
| Aug-10 | 475 |
| Sep-10 | 410 |
| Oct-10 | 412 |
| Nov-10 | 496 |
| Dec-10 | 486 |

| Month | Submissions |
|--------|-------------|
| Jan-11 | 724 |
| Feb-11 | 789 |
| Mar-11 | 982 |
| Apr-11 | 588 |
| May-11 | 545 |
| Jun-11 | 483 |
| Jul-11 | 467 |
| Aug-11 | 545 |
| Sep-11 | 500 |
| Oct-11 | 484 |
| Nov-11 | 631 |
| Dec-11 | 489 |
| Jan-12 | 662 |
| Feb-12 | 656 |
| Mar-12 | 872 |

- (2) It is not possible to determine an average response time to online requests given the diverse and complex nature of the TAMS portfolio, however, when feedback is submitted online, a unique reference number is issued immediately which enables the matter to be followed up where required.

Roads—parking supply consultant (Question No 2120)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012 (*redirected to the Minister for the Environment and Sustainable Development*):

In relation to the ACT Government Parking Supply Option Study prepared by Luxmoore Parking Consultants, (a) what was the total cost of this report, (b) what tender process was used to select this consultant and (c) were ACT based consultancy firms considered to undertake this study.

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

- (a) The total cost of the Parking Supply Option Study was \$97 548 (including GST).
 - (b) The process used to select the consultant was a public tender.
 - (c) Five of the six consultants who submitted proposals have offices in the ACT. The evaluation of these submissions was carried out based on the criteria established in the tender process. Luxmoore Parking Consultants, a specialist division of Australian Road Research Board (ARRB) Group Limited, was able to establish strong claims against the tender criteria. The tender evaluation panel assessed ARRB's submission as providing the best value for money.
-

ACTION bus service—MyWay card (Question No 2121)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012:

- (1) What is the breakdown in revenue from ACTION fares by fare type since the introduction of MyWay ticketing in April 2011.
- (2) Since the introduction of MyWay ticketing system, (a) how many passenger boardings have been recorded and (b) what is the average distance travelled on ACTION.
- (3) How many MyWay ticket machines were not fully operational for a period of 12 hours or more in the period since the introduction of MyWay ticketing machines.

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

- (1) The break down in ticket sales by fare type since the introduction of the MyWay ticketing system from 11 April 2011 to 25 March 2012 **inclusive of GST** is:

| Ticket Type | Passenger Type | Passenger | Sales |
|---------------------|-----------------------|---------------------------|-------------------------|
| MyWay | Adult | Adult | \$ 9,948,306.27 |
| | Concession | Over 75 | \$ - |
| | | Pensioner | \$ 382,712.04 |
| | | Senior | \$ 280,859.92 |
| | Student | Student | \$ 2,337,502.88 |
| | | Student Transport Program | \$ 6,187.82 |
| | | Tertiary | \$ 1,883,153.17 |
| Paper Ticket | Adult | Daily | \$ 440,382.00 |
| | | Open | \$ 44,409.46 |
| | | Single | \$ 2,691,900.00 |
| | Concession | Companion Card | \$ - |
| | | Daily | \$ 843,877.40 |
| | | Single | \$ 2,707,660.00 |
| | | TPI | \$ - |
| | | Vision Impaired | \$ - |
| | Other | Transfer | \$ - |
| | | Welfare | \$ - |
| Total | | | \$ 21,566,950.96 |

- (2) Since the introduction of the MyWay ticketing system from 11 April 2011 to 25 March 2012
 - (a) 17,618,494 passenger trips have been recorded (including transfers).
 - (b) The average distance travelled by passengers is not available as a reporting output at this time.
- (3) If a MyWay ticketing machine has a malfunction whilst on the road, the driver console is exchanged when the bus returns to the depot. There is no period of time where a console remains offline for 12 or more hours.

Roads—Hindmarsh Drive (Question No 2122)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012 (*redirected to the Attorney-General*):

- (1) How many infringements have been issued for speeding detected on Hindmarsh Drive by point to point speed cameras since the cameras commenced operation.
- (2) How many infringements referred to in part (1) have been disputed.
- (3) What was the penalty incurred for each infringement referred to in part (1).
- (4) How many accidents involving motorists have occurred on Hindmarsh Drive, by month, since the introduction of point to point speed cameras.

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

- (1) For the period 27 February to 22 March 2012 there have been 461 speeding infringement notices issued.
- (2) ACT Policing reported that one dispute has been received during the above period.
- (3) 435 infringements had a penalty of \$162.00, 24 had a penalty of \$253.00 and 2 had a penalty of \$664.
- (4) The process of collecting and collating crash data takes between 2-3 months. As a result the crash data from Hindmarsh Drive for the above period is not yet available.

Roads—parking meter revenue (Question No 2123)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012 (*redirected to the Attorney-General*):

What is the breakdown in revenue from ACT Government parking meters by (a) month and (b) suburb for the 2011-12 financial year to date.

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

- (a) Breakdown in revenue from ACT Government parking meters by month for the 2011-12 financial year to date

| | |
|----------------|--------------|
| July 2011 | \$104,820.75 |
| August 2011 | \$117,058.15 |
| September 2011 | \$115,036.40 |
| October 2011 | \$100,450.60 |
| November 2011 | \$118,787.80 |
| December 2011 | \$109,247.70 |
| January 2012 | \$92,571.11 |
| February 2012 | \$114,259.10 |

- (b) Breakdown in revenue from ACT Government parking meters by suburb for the 2011-12 financial year to date

City

| | |
|----------------|-------------|
| July 2011 | \$40,559.65 |
| August 2011 | \$43,498.45 |
| September 2011 | \$42,645.45 |
| October 2011 | \$35,991.20 |
| November 2011 | \$36,777.30 |
| December 2011 | \$34,610.30 |
| January 2012 | \$30,012.45 |
| February 2012 | \$40,892.90 |

Braddon

| | |
|----------------|-------------|
| July 2011 | \$26,000.70 |
| August 2011 | \$28,607.65 |
| September 2011 | \$27,899.95 |
| October 2011 | \$24,108.35 |
| November 2011 | \$30,638.45 |
| December 2011 | \$31,545.85 |
| January 2012 | \$27,004.55 |
| February 2012 | \$28,512.95 |

Kingston

| | |
|----------------|------------|
| July 2011 | \$7,097.90 |
| August 2011 | \$7,877.50 |
| September 2011 | \$8,196.50 |
| October 2011 | \$7,846.75 |
| November 2011 | \$8,072.85 |
| December 2011 | \$8,938.50 |
| January 2012 | \$7,065.15 |
| February 2012 | \$8,039.45 |

Deakin

| | |
|----------------|------------|
| July 2011 | \$2,364.25 |
| August 2011 | \$2,597.75 |
| September 2011 | \$2,478.90 |
| October 2011 | \$1,938.90 |
| November 2011 | \$2,218.20 |
| December 2011 | \$2,379.80 |
| January 2012 | \$1,393.50 |
| February 2012 | \$2,513.45 |

Dickson

| | |
|----------------|------------|
| July 2011 | \$5,033.90 |
| August 2011 | \$5,967.40 |
| September 2011 | \$6,184.50 |
| October 2011 | \$5,610.10 |
| November 2011 | \$7,127.00 |
| December 2011 | \$6,819.90 |
| January 2012 | \$5,270.20 |
| February 2012 | \$6,344.00 |

Manuka

| | |
|----------------|------------|
| July 2011 | \$4,753.40 |
| August 2011 | \$5,487.90 |
| September 2011 | \$5,503.40 |
| October 2011 | \$5,096.35 |
| November 2011 | \$5,667.90 |
| December 2011 | \$5,773.40 |
| January 2012 | \$4,854.55 |
| February 2012 | \$5,811.40 |

Turner

| | |
|----------------|------------|
| July 2011 | \$6,337.85 |
| August 2011 | \$8,042.25 |
| September 2011 | \$7,816.85 |
| October 2011 | \$5,965.20 |
| November 2011 | \$8,460.95 |
| December 2011 | \$6,008.55 |
| January 2012 | \$5,435.50 |
| February 2012 | \$6,403.45 |

Woden

| | |
|----------------|-------------|
| July 2011 | \$12,673.10 |
| August 2011 | \$14,979.25 |
| September 2011 | \$14,309.85 |
| October 2011 | \$13,893.75 |
| November 2011 | \$16,114.55 |
| December 2011 | \$13,171.40 |
| January 2012 | \$11,505.20 |
| February 2012 | \$15,741.50 |

**Roads—parking ticket machines
(Question No 2124)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012 (*redirected to the Attorney-General*):

- (1) How many parking ticket machines are operated by the ACT Government, by car park location.
- (2) What is the breakdown in revenue received from ACT Government parking ticket machines by month and car park location for the 2011-12 financial year to date.
- (3) What is the current replacement schedule for the ticket machines referred to in part (1).
- (4) Is the ACT Government responsible for the maintenance of the ticket machines referred to in part (1).
- (5) What is the total cost of the maintenance schedule of parking ticket machines referred to in part (1).

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

- (1) There are 283 parking ticket machines operated by the ACT Government.

| | |
|--------------------------|------------|
| City, Turner and Braddon | 85 |
| Dickson | 23 |
| Woden | 47 |
| Deakin | 1 |
| Manuka | 15 |
| Kingston | 11 |
| Belconnen | 75 |
| Greenway | 26 |
| Total | 283 |

- (2) **City, Turner and Braddon**

| | |
|----------------|--------------|
| July 2011 | \$471,765.45 |
| August 2011 | \$567,627.51 |
| September 2011 | \$588,436.85 |
| October 2011 | \$522,362.40 |
| November 2011 | \$558,790.50 |
| December 2011 | \$443,768.81 |
| January 2012 | \$384,330.91 |
| February 2012 | \$528,823.85 |

Dickson

| | |
|----------------|-------------|
| July 2011 | \$46,227.55 |
| August 2011 | \$53,421.65 |
| September 2011 | \$49,968.20 |
| October 2011 | \$45,110.80 |
| November 2011 | \$50,675.55 |
| December 2011 | \$47,368.50 |
| January 2012 | \$47,075.60 |
| February 2012 | \$48,862.70 |

Woden

| | |
|----------------|--------------|
| July 2011 | \$280,473.36 |
| August 2011 | \$305,330.50 |
| September 2011 | \$291,591.25 |
| October 2011 | \$251,563.00 |
| November 2011 | \$312,550.00 |
| December 2011 | \$260,336.00 |
| January 2012 | \$256,778.50 |
| February 2012 | \$315,298.70 |

Deakin

| | |
|----------------|----------|
| July 2011 | \$577.95 |
| August 2011 | \$637.10 |
| September 2011 | \$439.05 |
| October 2011 | \$217.95 |
| November 2011 | \$685.95 |
| December 2011 | \$676.55 |
| January 2012 | \$0 |
| February 2012 | \$377.55 |

Manuka

| | |
|----------------|-------------|
| July 2011 | \$36,883.9 |
| August 2011 | \$44,890.25 |
| September 2011 | \$38,382.35 |
| October 2011 | \$41,125.55 |
| November 2011 | \$42,081.15 |
| December 2011 | \$42,348.95 |
| January 2012 | \$43,984.40 |
| February 2012 | \$41,598.40 |

Kingston

| | |
|----------------|-------------|
| July 2011 | \$25,427.65 |
| August 2011 | \$26,254.85 |
| September 2011 | \$26,711.80 |
| October 2011 | \$22,523.50 |
| November 2011 | \$26,939.20 |
| December 2011 | \$29,367.50 |
| January 2012 | \$21,746.10 |
| February 2012 | \$22,342.10 |

Belconnen

| | |
|----------------|-------------|
| July 2011 | \$80,846.70 |
| August 2011 | \$87,346.95 |
| September 2011 | \$84,576.35 |
| October 2011 | \$72,596.00 |
| November 2011 | \$85,644.90 |
| December 2011 | \$76,418.05 |
| January 2012 | \$55,482.80 |
| February 2012 | \$64,958.25 |

Greenway

| | |
|----------------|-------------|
| July 2011 | \$63,735.75 |
| August 2011 | \$69,973.95 |
| September 2011 | \$63,033.65 |
| October 2011 | \$50,466.95 |
| November 2011 | \$71,791.35 |
| December 2011 | \$66,541.95 |
| January 2012 | \$47,082.50 |
| February 2012 | \$58,863.90 |

- (3) Individual parking machines are replaced as required, for example if damaged. The ACT Government is currently examining options for longer term replacement of parking machines.
- (4) Yes, the ACT Government is responsible for the maintenance of the ticket machines referred to in part 1.
- (5) There is a budget of \$100,000 allocated for the maintenance of pay parking equipment.

**Roads—pot holes
(Question No 2125)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 21 March 2012:

- (1) How many pot holes were identified for repair, by suburb, from 1 July 2011 to date.
- (2) How many pot holes referred to in part (1) have been repaired.
- (3) What is the average time taken to repair potholes referred to in part (1).
- (4) What was the total cost to repair the pot holes referred to in part (1).
- (5) How many Territory and Municipal Services Directorate employees are/were employed specifically to work on road repairs such as pot holes (a) currently, (b) in June 2011, (c) in January 2011, (d) in June 2010 and (e) in January 2010.

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

- (1) Approximately 3930 potholes have been identified from 1 July 2011 to date. Data is not available to classify these by suburb.
- (2) 3830 potholes have been repaired from 1 July 2011 to date, 100 potholes are currently being addressed.
- (3) The average total labour time costed per pothole is around 0.75 person hours.
- (4) \$167,265.
- (5) (a) 28 Territory and Municipal Services Directorate employees are employed specifically to work on routine road maintenance activities. Depending on workload at any given time, at least two, and up to 20, of these employees are engaged in patching potholes. The same resourcing level has been applied to these activities in (b) June 2011, (c) January 2011, (d) June 2010 and (e) January 2010.

**Government—printing costs
(Question No 2126)**

Mr Coe asked the Deputy Chief Minister, upon notice, on 21 March 2012:

- (1) What printing has been authorised and undertaken by the Minister's office since he became Deputy Chief Minister by (a) name of publication and (b) month published.
- (2) What was the total cost of the printed material referred to in part (1).
- (3) Who approved the content of the printed material referred to in part (1).
- (4) Who was the invoice made out to for each item referred to in part (1).

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

- (1) No printing has been undertaken.
 - (2) Not relevant
 - (3) Not relevant
 - (4) Not relevant
-

**Government—printing costs
(Question No 2129)**

Mr Coe asked the Minister for Community Services, upon notice, on 21 March 2012:

- (1) What printing has been authorised and undertaken by the Minister's office since she became Minister by (a) name of publication and (b) month published.
- (2) What was the total cost of the printed material referred to in part (1).
- (3) Who approved the content of the printed material referred to in part (1).
- (4) Who was the invoice made out to for each item referred to in part (1).

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

- (1) No publications have been produced under the executive budget of this Office in the period since I became Minister.
 - (2) See answer to (1)
 - (3) See answer to (1)
 - (4) See answer to (1)
-

**Housing ACT—properties
(Question No 2130)**

Mr Coe asked the Minister for Community Services, upon notice, on 21 March 2012:

- (1) In relation to the value of properties owned by Housing ACT, what is the (a) maximum value of an individual property owned by Housing ACT, (b) minimum value of an individual property owned by Housing ACT, (c) median value of properties owned by Housing ACT and (d) maximum market rent payable for properties referred to in parts (1)(a), (b) and (c).
- (2) Can the Minister provide a description including (a) number of bedrooms, (b) block size and (c) house size for each property identified in parts (1)(a), (b) and (c).

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

- (1) (a) \$1.829 million (5 bedroom property in Narrabundah);
(b) \$254,000 (2 bedroom property in Oaks Estate)
(c) \$389,000
(d) (1a) Market rent - \$1,160 per week, (1b) Market rent - \$320 per week and (1c) Market rent - \$370 per week
 - (2) (a) 5 bedrooms, 2 bedrooms and 3 bedrooms
(b) 2,717 square metres, 1012 square metres and 700 square metres
(c) 395.5 square metres, 74 square metres and 85 square metres.
-

Housing—market rents (Question No 2131)

Mr Coe asked the Minister for Community Services, upon notice, on 21 March 2012:

- (1) How many Social Housing tenants are currently paying maximum market rent.
- (2) How many Social Housing tenants are currently paying between (a) 90% and 100%, (b) 80% and 90%, (c) 70% and 80%, (d) 60% and 70%, (e) 50% and 60%, (f) 40% and 50%, (g) 30% and 40%, (h) 20% and 30%, (i) 10% and 20% and (j) 0% and 10%, of market rent.

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

- (1) 1,072
 - (2) (a) 54
(b) 170
(c) 416
(d) 386
(e) 636
(f) 943
(g) 2,351
(h) 3,878
(i) 1,533
(j) 121
-

Government—printing costs (Question No 2132)

Mr Coe asked the Minister for Education and Training, upon notice, on 21 March 2012:

- (1) What was the total cost of DL brochures, by title of brochure, distributed by the Minister in 2012 for (a) printing and (b) distribution.
- (2) When were the DL brochures referred to in part (1) distributed.

- (3) Where were the DL brochures distributed, by suburb.
- (4) How many total DL brochures were distributed.
- (5) Who was the invoice made out to for each DL brochure.
- (6) Who printed each DL brochure.
- (7) Who approved the content of each of the DL brochures.

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

No DL brochures have been produced by the Minister for Education and Training from January-March 2012.

Government—printing costs (Question No 2133)

Mr Coe asked the Minister for Education and Training, upon notice, on 21 March 2012:

- (1) What printing has been authorised and undertaken by the Minister's office since he became Minister by (a) name of publication and (b) month published.
- (2) What was the total cost of the printed material referred to in part (1).
- (3) Who approved the content of the printed material referred to in part (1).
- (4) Who was the invoice made out to for each item referred to in part (1).

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

No publications have been produced under the executive budget of this office in the period since I became Minister.

Health—education programs (Question No 2134)

Ms Hunter asked the Minister for Health, upon notice, on 21 March 2012:

- (1) How has ACT Health been involved in the development of health education programs currently being used in ACT public schools.
- (2) Are these programs delivered in partnership with Commonwealth health promotion and education programs.
- (3) What support does ACT Health offer to community organisations to develop and implement health promotion and health education programs in public schools.

- (4) Did ACT Health consult with parents and carers in the development of health education needs of children and young people in ACT public schools; if so, how.

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

- (1) The Health Directorate is currently implementing the Healthy Children's Initiative (HCI); a range of programs and activities to support the health of children and young people in the ACT. The HCI includes a range of initiatives in a variety of settings, including the school setting. Programs to support the health of children and young people have been funded through the Commonwealth National Partnership Agreement on Preventive Health (NPAPH) between 2011 and 2014 and the ACT Healthy Futures program in 2009 to 2012.

Health promotion programs currently being implemented in ACT public schools by the Health Directorate include:

- Walk or Ride to School: a program to promote active travel to school to students and their families. This program will be piloted in schools from Term 2, 2012;
 - Healthy Food@School: a program to work with all elements of the school setting to create a culture that supports the consumption of healthy food and drinks;
 - Healthy Transitions: development of curriculum modules for teachers of Year 5 and 6 students including professional development training for teachers, to educate students about nutrition;
 - It's Your Move: a high school intervention and research project led by Deakin University, involving a whole school settings-based approach to promoting healthy eating and physical activity;
 - Unplug&Play – a social marketing campaign to encourage children to spend no more than two hours a day on screen based entertainment and to engage in at least 60 minutes of physical activity a day;
 - Tap into Water – a social marketing campaign to encourage community members, including children and young people to drink tap water as the drink of choice. Tap into Water drink bottles are being distributed throughout ACT public schools that are engaged in Walk or Ride to School and Healthy Food@School programs;
 - Youth Interact Conference 2012: Healthy Lifestyles workshop. The Health Directorate is co-facilitating a workshop with members of the Youth Advisory Council at this conference to be held on 13 April 2012. The aim of the workshop is to empower youth representatives to deliver their own health promotion initiative, on healthy eating or promoting physical activity, in their own school settings. Small grants will be given to schools to assist students to implement their initiative; and
 - ACT Youth Parliament: The first ACT Youth Parliament will take place in July 2012 and is an initiative of the YMCA. The ACT Health Directorate is providing sponsorship and in-kind support for this event. Health Directorate Staff will also provide advice on health issues as required by the young parliamentarians.
- (2) Healthy Food@School includes the implementation of the National Healthy School Canteen Guidelines. The guideline resources provided by the Commonwealth are used for in-depth training of canteen staff to enable them to implement the guidelines.

Healthy Transitions curriculum modules are being developed to fit within the current ACT Every Chance to Learn Curriculum and to be adapted for the new National Curriculum.

Other programs are developed in close collaboration with jurisdictions throughout Australia and the NPAPH activities have been approved by the Commonwealth. However, these programs are being developed to be relevant to the local context, address local needs and be owned by local school communities. This is best practice in health promotion and helps to ensure the sustainability of outcomes.

- (3) Partnerships are encouraged and several community organisations are supported by the Health Directorate to co-deliver elements of the school based health promotion programs. Nutrition Australia ACT is supported to provide nutrition advice to canteens and schools under the Healthy Food@School and nutrition-related curriculum support via the Healthy Transitions Program. Pedal Power ACT and the Smith Family ACT are supported to deliver elements of the Walk or Ride to School program. These programs are also actively seeking additional partnerships to build community connections and contribute to community capacity.

The Healthy Schools, Healthy Children Funding Round, which is managed by the ACT Health Promotion Grants Program, provides \$200,000 each calendar year to schools and community organisations working with schools, for projects which aim to strengthen children and young people with the knowledge, skills, responsibility and resources to live a healthy, active life through improved physical activity and healthy eating. The funding strategically aligns with the priorities of the Health Promotion Branch (HPB) and enables additional schools to implement the evidence based programs.

The HPB actively supports the Healthy Schools Network, a collaboration of not for profit organisations that promote health and wellbeing in ACT schools. Member organisations include the Heart Foundation, Cancer Council, Life Education, Asthma Foundation, Diabetes ACT, Nutrition Australia, Pedal Power, and Sports Medicine ACT.

- (4) Health Promotion Programs are developed in reference to the ACT Children's Plan and the ACT Young People's Plan, which were developed following extensive consultation with parents and carers.

Building Block 1 of the ACT Children's Plan 2010-2014 requires Government to consult with children and increase their participation in decisions that will influence their lives. For this reason in addition to consulting with parents/carers it is crucial to consult with children and young people themselves.

Walk or Ride to School – The ACT Council of Parents and Citizens Associations has had input into the development of the program through attendance at a stakeholder forum in July 2011 and has been given the opportunity to provide comments and input into the program. The Active Travel to School Literature Review was placed on the Time to Talk website with the question “What do you think would encourage more children to walk or cycle to school in the ACT?” in September 2011.

Healthy Food@School – currently consulting and engaging with Parent and Citizen (P&C) Associations and Student Representative Councils to help to guide the program. This program is working intensively on a school by school basis. In-school consultation and leadership systems are being established to enable students and parents/carers to participate in the development and delivery of the program, with the understanding that local communities need to ‘own’ health promotion initiatives to ensure sustainability.

ACT General Health Survey - a number of questions have been added to this survey in 2012 to build the knowledge around attitudes of parents/carers towards food and activity related programs in the school setting to inform the ongoing development of the school based programs.

**Courts—after hours bail support service
(Question No 2135)**

Ms Hunter asked the Minister for Community Services, upon notice, on 21 March 2012:

- (1) How many young people have directly, and on their own behalf, contacted the After Hours Bail Support Service, since the service began in October 2011.
- (2) Which community services have been referring young people to this service.

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

- (1) As of 12 April 2012, four young people have directly, and on their own behalf, contacted the After Hours Bail Support Service.
 - (2) The After Hours Bail Support Service has received referrals from Lowana Youth Refuge, Oasis Youth Residential Service, Marlow Cottage, Narrabundah House, Richmond Fellowship, Premier Youth Works, Barnardos and Ted Noffs Foundation.
-

**Canberra Institute of Technology—student support services
(Question No 2136)**

Ms Hunter asked the Minister for Education and Training, upon notice, on 21 March 2012:

- (1) How many full-time equivalent positions are in the Canberra Institute of Technology (CIT) Student Support Services department.
- (2) What is the current budget of the CIT's Student Support Services.

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

1. 13.79 as at end of February 2012.
 2. \$1,483,914; this figure excludes the fee assistance component.
-

**Schools—suspensions
(Question No 2137)**

Ms Hunter asked the Minister for Education and Training, upon notice, on 21 March 2012:

- (1) What is the current cost of the Suspension Support Teams, based in the Melba-Copland cluster, and in Wanniasa.
- (2) Has work been undertaken to further expand this service.
- (3) What would the cost be to provide a Suspension Support Team in each of the school network regions.
- (4) Is there a formal evaluation of the qualitative outcomes of vulnerable children, young people, and the impact on their families and carers, who have been suspended; if not, what is being done to establish the efficacy of current disciplinary policies in ACT public schools.

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

- 1) The current annual cost for the Suspension Support Team working in the Melba-Copland and Kingsford Smith clusters is \$259 000. There is no team working in the Wanniasa cluster.
- 2) A budget has been created to establish a Suspension Support Team on the south side of Canberra. Work is underway to identify a school cluster, identify a facility and employ staff.
- 3) The total cost in the first year to provide a Suspension Support Team in each network, four teams in total, would be \$1.4 million. This includes staffing, administration support and facility setup costs.
- 4) While the Directorate has not completed a formal evaluation of the qualitative outcomes of vulnerable children and young people, and the impact on their families and carers who have been suspended it informs itself through the use of national and international research in this area. The Directorate uses suspension, critical incident and satisfaction survey data to establish the efficacy of current disciplinary policies in ACT public schools.

Government—fee determinations (Question No 2142)

Mrs Dunne asked the Attorney-General, upon notice, on 22 March 2012:

In relation to each fee determination by the Attorney-General during the period of the Seventh Assembly and notified either as a disallowable or notifiable instrument, what was the date on which each fee (a) was notified and (b) became effective.

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

Fee determinations in 2008 during the period of the Seventh Assembly:

| Instrument name | Notified (a) | Effective (b) | Instrument |
|---|---------------------|----------------------|-------------------|
| Attorney-General (Fees) Amendment Determination 2008 (No 2) (repealed) | 6-Nov-2008 | 1-Jul-2008 | DI2008-276 |

Fee determinations in 2009:

| Instrument name | Notified (a) | Effective (b) | Instrument |
|---|---------------------|---------------------------|-------------------|
| Attorney-General (Fees) Amendment Determination 2009 (No 1) (repealed) | 29-Jan-2009 | 2-Feb-2009 | DI2009-5 |
| Attorney-General (Fees) Amendment Determination 2009 (No 2) (repealed) | 18-Jun-2009 | 19-Jun-2009 | DI2009-99 |
| Attorney-General (Fees) Determination 2009 (repealed) | 29-Jun-2009 | 1-Jul-2009 to 30-Jun-2010 | DI2009-116 |
| Attorney-General (Fees) Amendment Determination 2009 (No 3) (repealed) | 30-Sept-2009 | 1-Oct-2009 | DI2009-210 |
| Attorney-General (Fees) Amendment Determination 2009 (No 4) (repealed) | 15-Oct-2009 | 16-Oct-2009 | DI2009-218 |
| Attorney-General (Fees) Amendment Determination 2009 (No 5) (repealed) | 18-Nov-2009 | 19-Nov-2009 | DI2009-235 |
| Attorney-General (Fees) Amendment Determination 2009 (No 6) (repealed) | 23-Dec-2009 | 1-Jul-2009 | DI2009-269 |

Fee determinations in 2010:

| Instrument name | Notified (a) | Effective (b) | Instrument |
|---|---------------------|---------------------------|-------------------|
| Attorney-General (Fees) Determination 2010 (repealed) | 24-Jun-2010 | 1-Jul-2010 to 30-Jun-2011 | DI2010-107 |
| Attorney-General (Fees) Amendment Determination 2010 (No 1) (repealed) | 29-Jun-2010 | 1-Jul-2010 | DI2010-141 |
| Attorney-General (Fees) Amendment Determination 2010 (No 2) (repealed) | 28-Sept-2010 | 7-Oct-2010 | DI2010-262 |
| Juries (Payment) Determination 2010 (repealed) | 21-Oct-2010 | 2-Nov-2010 to 4-Jul-2011 | DI2010-270 |
| Liquor (Fees) Determination 2010 (No 1) (repealed) | 20-Oct-2010 | 1-Dec-2010 to 11-Nov-2011 | DI2010-273 |
| Liquor (Fees) Amendment Determination 2010 (No 1) (repealed) | 25-Oct-2010 | 1-Dec-2010 | DI2010-276 |

Fee determinations in 2011:

| Instrument name | Notified (a) | Effective (b) | Instrument |
|---|---------------------|----------------------|-------------------|
| Attorney-General (Fees) Amendment Determination 2011 (No 1) (repealed) | 30-May-2011 | 14-Jun-2011 | DI2011-62 |
| Road Transport (General) Vehicle Registration and Related Fees Determination 2011 | 27-May-2011 | 28-May-2011 | DI2011-103 |
| Road Transport (General) Driver Licence and Related Fees Determination 2011 | 27-May-2011 | 28-May-2011 | DI2011-104 |
| Road Transport (General) Refund and Dishonoured Payments Fees Determination 2011 | 27-May-2011 | 28-May-2011 | DI2011-105 |
| Road Transport (General) Numberplate Fees Determination 2011 | 27-May-2011 | 28-May-2011 | DI2011-106 |
| Road Transport (General) Parking Permit Fees Determination 2011 | 27-May-2011 | 28-May-2011 | DI2011-107 |
| Road Transport (General) Fees For Publications Determination 2011 | 27-May-2011 | 28-May-2011 | DI2011-108 |
| Dangerous Goods (Road Transport) Fees and Charges Determination 2011 | 27-May-2011 | 1-Jul-2011 | DI2011-109 |

| | | | |
|--|-------------|----------------------------|------------|
| Road Transport (General) Public Passenger Services Licence and Accreditation Fees Determination 2011 | 27-May-2011 | 1-Jul-2011 | DI2011-110 |
| Attorney-General (Fees) Determination 2011 | 10-Jun-2011 | 1-Jul-2011 | DI2011-115 |
| Road Transport (Public Passenger Services) Maximum Fares for Taxi Services Determination 2011 (No 2) (repealed) | 27-Jun-2011 | Never effective | DI2011-139 |
| Road Transport (Public Passenger Services) Maximum Fares for Taxi Services Determination 2011 (No 3) | 30-Jun-2011 | 1-Jul-2011 | DI2011-185 |
| Juries (Payment) Determination 2011 | 4-Jul-2011 | 5-Jul-2011 | DI2011-186 |
| Road Transport (General) (Pay Parking Area Fees) Determination 2011 (repealed) | 21-Jul-2011 | 25-Jul-2011 to 15-Dec-2011 | DI2011-200 |
| Road Transport (Vehicle Registration) Authorised Examiner Scheme Inspection Fees Determination 2011 | 27-May-2011 | 28-May-2011 | NI2011-267 |
| Road Transport (Public Passenger Services) Regular Route Services Maximum Fares Determination 2011 (No 1) (repealed) | 6-Oct-2011 | 7-Oct-2011 to 31-Jan-2012 | DI2011-275 |
| Liquor (Fees) Determination 2011 (No 1) | 11-Nov-2011 | 12-Nov-11 | DI2011-295 |
| Road Transport (General) (Pay Parking Area Fees) Determination 2011 (No 2) | 8-Dec-2011 | 16-Dec-2011 | DI2011-307 |
| Attorney-General (Fees) Amendment Determination 2011 (No 2) | 22-Dec-2011 | 1-Jan-2012 | DI2011-332 |

Fee determinations in 2012:

| Instrument name | Notified (a) | Effective (b) | Instrument |
|---|--------------|---------------|------------|
| Road Transport (Public Passenger Services) Regular Route Services Maximum Fares Determination 2012 (No 1) | 31-Jan-2012 | 1-Feb-12 | DI2012-10 |
| Attorney-General (Fees) Amendment Determination 2012 | 5-Mar-2012 | 30-Mar-2012 | DI2012-30 |

Finance—budget allocations (Question No 2143)

Mrs Dunne asked the Minister for Community Services, upon notice, on 22 March 2012:

- (1) What is the budget allocation for the years 2011-12 to 2014-15 for Intensive Family Support programs.
- (2) What portion of funding referred to in part (1) goes to the non-government sector.
- (3) What was the actual expenditure on Intensive Family Support programs for (a) 2008-09, (b) 2009-10 and (c) 2010-11.

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

- 1) Intensive family support programs are provided predominantly by a range of Non-Government agencies. The programs are usually a subset of a wider range of services the agencies are funded for. Variation can occur annually as a result of new budget initiatives or one off program expenses. The budget modelling for intensive family support between 2011-12 and 2014-15 is currently based on the 2010-2011 budget expenditure which is \$1,413,000 annually.
- 2) Funding is allocated according to program initiatives which may vary year to year. Currently 100% of the funding is allocated to services provided by non-government agencies.
- 3) I refer Mrs Dunne to the Report on Government Services 2012, table 15A.26 which indicates actual expenditure over these periods.

**Domestic Animal Services—costs
(Question No 2146)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 22 March 2012:

- (1) What is the budget for Domestic Animal Services (DAS) for the 2011-12 to 2014-15 budget years.
- (2) What was the total expenditure by DAS in (a) 2009-10 and (b) 2010-11.
- (3) How many staff are currently employed at DAS and what are the roles and responsibilities of each staff member.
- (4) What were the (a) 2009-10 and (b) 2010-11 costs for impounding and caring for stray, roaming, injured or lost dogs.
- (5) What portion of the costs referred to in part (4) are attributed to employees and what is the budgeted 2011-12 cost of this.
- (6) What were the (a) 2009-10 and (b) 2010-11 costs for the management and operation of the DAS shelter and impound facilities.
- (7) What portion of the costs referred to in part (5) are attributed to employees and what is the budgeted 2011-12 cost of this.
- (8) What were the (a) 2009-10 and (b) 2010-11 costs for facilitating the DAS volunteer program and what is the budgeted 2011-12 cost of this.
- (9) What has been the cost of capital repairs or works to the DAS pound facilities since 2009.
- (10) What was the average length of dogs being held at the pound for (a) 2009-10 and (b) 2010-11.
- (11) What is the number of dogs currently held at the impounded by DAS.

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

- (1) The budget for Domestic Animal Services (DAS) for the years 2011-12 to 2014-15 is:

| | |
|---------|-------------------------|
| 2011-12 | \$1,192,425; |
| 2012-13 | \$1,222,236 (estimated) |
| 2013-14 | \$1,252,792 (estimated) |
| 2014-15 | \$1,284,112 (estimated) |

- (2) Total expenditure by DAS for the years 2009-10 to 2010-11 was as follows:

| | |
|-------------|-------------|
| (a) 2009-10 | \$1,132,994 |
| (b) 2010-11 | \$1,104,867 |

- (3) 10.5 staff are currently employed at DAS.

This includes one Registrar, one Deputy Registrar, two ranger supervisors, who also undertake general ranger duties, six general rangers who undertake pound and compliance duties, and a part time kennel master.

- (4) The core business of DAS is impounding and caring for stray, roaming, injured or lost dogs and all expenditure is related to these tasks.

The total expenditure for DAS for the requested years is as provided under question (2).

- (5) Total employee costs for the requested years are:

| | |
|-------------|-----------------------------------|
| (a) 2009-10 | \$790,941 |
| (b) 2010-11 | \$892,778 |
| (c) 2011-12 | \$657,981 as at 29 February 2012. |

- (6) Refer to answer to question (2) above.

- (7) Refer to answer to question (5) above.

- (8) The costs of facilitating the volunteer program form part of the DAS operating budget. This program is coordinated by an ASO 6 level employee, who spends 30% of employment time coordinating volunteers, producing pamphlets and other written material and inducting new volunteers on site. Advertising costs for recruiting volunteers are an additional cost incurred when required. This equates to \$21,000 per annum.

- (9) Total expenditure on capital repairs or works to the DAS site since 1 July 2009 is \$75,004

- (10) The average length of time that dogs were held at the pound were:

| |
|--------------------------|
| (a) 7.17 days in 2009-10 |
| (b) 7.47 days in 2010-11 |

- (11) At 10.00 am on 23 March 2012 a total of 40 dogs were impounded at the DAS facility.

**ACTION bus service—bike racks
(Question No 2147)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 22 March 2012:

- (1) How many ACTION buses, by type, are currently fitted with bike racks.
- (2) How many ACTION buses by type, are scheduled to be fitted with bike racks and when will these bike racks be operational.
- (3) How many ACTION buses (a) cannot and (b) will not be fitted with bike racks and why.

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

- (1) As at 18 March 2012, 314 in-service ACTION buses are fitted with bike racks representing 73% of the current in-service fleet.
 - 20 Iris Agora
 - 54 CNG Scania
 - 16 CNG MAN
 - 80 Euro 5 MAN
 - 144 Renault PR100
- (2) By 30 June 2012, based on the current network, at the conclusion of the current bike rack project, 342 in-service ACTION buses representing some 80% of the in-service fleet will have bike racks fitted.
 - 20 Iris Agora
 - 54 CNG Scania
 - 16 CNG MAN
 - 89 Euro 5 MAN
 - 163 Renault PR100

It should be noted that under the current bus purchase contract all buses will be built so that they are capable of being fitted with bike racks. However as for the reasons in (3) (b) below large capacity buses will not be fitted with racks.

- (3) (a) At present a total of 84 ACTION buses have not been, or will not be, fitted with bike racks.
- (b) The 84 ACTION buses that will not be fitted with bike racks are as follows:
 - 25 Midi Dart buses (due to the structural inability of the bus to support a bike rack);
 - 59 large capacity buses (bike racks not fitted due to length restrictions)
 - 26 Scania Steer Tag
 - 33 articulated buses

**Heritage—budget
(Question No 2148)**

Mr Coe asked the Minister for the Environment and Sustainable Development, upon notice, on 22 March 2012:

- (1) Can the Minister provide a list of all programs and the corresponding budgets for the years 2011-12 to 2014-15 under the output for Heritage.
- (2) Can the Minister provide the current capital expenditure program for the years 2011-12 to 2014-15 under the output for Heritage.
- (3) What was the total expenditure on Interpretive Signs for the years (a) 2009-10 and (b) 2010-11.
- (4) What is the planned expenditure for Interpretive Signs for the years 2011-12 to 2014-15.

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

- (1) A list of all programs and the corresponding budgets for the years 2011-12 to 2014-15 under the output for Heritage is as follows:

| Program | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 |
|--|------------------|------------------|------------------|------------------|
| Capital Works | \$740,000 | \$131,000* | \$135,000* | \$138,000* |
| Heritage Grants Program | \$296,000 | \$307,000 | \$318,000 | \$326,000 |
| Heritage Signage and Interpretation* | \$150,000 | \$0 | \$0 | \$0 |
| Contribution to the National Trust | \$60,000 | \$0 | \$0 | \$0 |
| Partial reconstruction of the Gudgenby Homestead and Acquisition of Historic Collections | \$230,000 | \$0 | \$0 | \$0 |

*\$40,000 plus CPI from Capital Works in out years 2012 – 15 will be allocated to signage as shown in (4)

- (2) The current capital expenditure program for the years 2011-2012 to 2014-2015 under the output for Heritage is as follows:

| Program | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 |
|----------------|------------------|------------------|------------------|------------------|
| Capital Works | \$740,000* | \$131,000 | \$135,000 | \$138,000 |

*includes rollovers from 2010-11.

- (3) The total expenditure on Interpretive Signs for the years (a) 2009-2010 and (b) 2010-11 is as follows:

| Program | 2009-2010 | 2010-2011 |
|-------------------------------------|------------------|------------------|
| Heritage Signage and Interpretation | \$243,093 | \$177,302 |

- (4) The planned expenditure for Interpretative Signs for the years 2011-2012 to 2014-2015 is as follows:

| Program | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 |
|-------------------------------------|-----------|-----------|-----------|-----------|
| Heritage Signage and Interpretation | \$150,000 | \$40,000 | \$41,000 | \$43,000 |

Labor Party—meetings (Question No 2150)

Mr Coe asked the Minister for Education and Training, upon notice, on 22 March 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, (b) on what dates and (c) was payment made at the time.
- (2) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the 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, (b) on what dates and (c) was payment made at the time.
- (4) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the date that the payment was made for each meeting.

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

- (1) I undertake a wide range of activities to fulfil my duties as the Member for Ginninderra, a number of which involve 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 (1) above.
- (3) See (1) above.
- (4) See (1) above.

Labor Party—meetings (Question No 2151)

Mr Coe asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 22 March 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, (b) on what dates and (c) was payment made at the time.

- (2) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the 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, (b) on what dates and (c) was payment made at the time.
- (4) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the date that the payment was made for each meeting.

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

- (1) I undertake a wide range of activities to fulfil my duties as the Member for Ginninderra, a number of which involve 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 (1) above.
- (3) See (1) above.
- (4) See (1) above.

**Labor Party—meetings
(Question No 2152)**

Mr Coe asked the Minister for Corrections, upon notice, on 22 March 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, (b) on what dates and (c) was payment made at the time.
- (2) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the 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, (b) on what dates and (c) was payment made at the time.
- (4) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the date that the payment was made for each meeting.

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

- (1) I undertake a wide range of activities to fulfil my duties as the Member for Ginninderra, a number of which involve 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 (1) above.
 - (3) See (1) above.
 - (4) See (1) above.
-

**Labor Party—meetings
(Question No 2155)**

Mr Hanson asked the Minister for Women, upon notice, on 22 March 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, (b) on what dates and (c) was payment made at the time.
- (2) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the 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 her employees; if so, (a) how many times, (b) on what dates and (c) was payment made at the time.
- (4) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the date that the payment was made for each meeting.

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

I undertake a wide range of activities to fulfil my duties as Member for Brindabella, a number of which involve 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.

**Labor Party—meetings
(Question No 2156)**

Mr Hanson asked the Minister for Multicultural Affairs, upon notice, on 22 March 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, (b) on what dates and (c) was payment made at the time.

- (2) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the 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 her employees; if so, (a) how many times, (b) on what dates and (c) was payment made at the time.
- (4) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the date that the payment was made for each meeting.

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

I undertake a wide range of activities to fulfil my duties as Member for Brindabella, a number of which involve 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.

Labor Party—meetings (Question No 2157)

Mr Hanson asked the Minister for Ageing, upon notice, on 22 March 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, (b) on what dates and (c) was payment made at the time.
- (2) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the 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 her employees; if so, (a) how many times, (b) on what dates and (c) was payment made at the time.
- (4) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the date that the payment was made for each meeting.

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

I undertake a wide range of activities to fulfil my duties as Member for Brindabella, a number of which involve 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.

**Labor Party—meetings
(Question No 2158)**

Mr Hanson asked the Minister for the Arts, upon notice, on 22 March 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, (b) on what dates and (c) was payment made at the time.
- (2) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the 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 her employees; if so, (a) how many times, (b) on what dates and (c) was payment made at the time.
- (4) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the date that the payment was made for each meeting.

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

I undertake a wide range of activities to fulfil my duties as Member for Brindabella, a number of which involve 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.

**ACT public service—expense claims
(Question Nos 2160, 2161, 2162, 2163, 2164 and 2165)**

Mr Hanson asked the Minister for Women, the Minister for the Arts, the Minister for Multicultural Affairs, the Minister for Ageing, the Minister for Community Services and the Minister for Gaming and Racing, upon notice, on 22 March 2012 (*redirected to the Treasurer*):

- (1) In relation the Minister's directorate, how many instances have there been of contested, inappropriate or queried expense claims.
- (2) How many times have claims for expenses been denied.

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

- (1) Expense claims in each directorate are subject to scrutiny and review by authorised financial delegates before any claim is approved for payment. Directorates' financial management systems only record approved expense claims data, upon receipt of properly authorised payment paperwork. Therefore records of expenditure cannot be interrogated to identify claims not approved for payment.

(2) See response to (1).

**ACT public service—workplace investigations
(Question No 2170)**

Mr Hanson asked the Minister for Community Services, upon notice, on 22 March 2012:

In relation to the Minister's directorate, how many workplaces investigations/reviews have been (a) requested and (b) carried out.

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

- (a) Nine workplace investigations/reviews were requested in financial year 2011-12.
- (b) Fifteen investigations/reviews have been carried out in 2011-12 to date. This included six carried over from the 2010-11 financial year.

**Marriage—equality
(Question No 2172)**

Mr Rattenbury asked the Attorney-General, upon notice, on 22 March 2012:

Has the ACT Government ever sought or received legal advice on the constitutional issues that could arise in the event the ACT Legislative Assembly were to legislate to create an ACT based marriage scheme which was open to all couples, regardless of sex; if so, who provided the advice and what were the issues identified in the advice; if not, are there any impediments to the ACT legislating in such a way.

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

The ACT Government has, on a number of occasions, sought and received legal advice in relation to the constitutional issues that could arise in the event the ACT Legislative Assembly were to legislate to create an ACT based marriage scheme, which was open to all couples, regardless of sex.

The Government sought specific legal advice on the question of whether the Civil Partnerships Bill 2006 was inconsistent with the Commonwealth *Marriage Act 1961*. DF Jackson QC and SJ Gageler SC provided their advice to the ACT Government Solicitor on 5 May 2008.

The advice concluded that the 2006 Bill, as then drafted, would be consistent with the Marriage Act to the extent that it provided for same sex couples to enter into a civil partnership, but inconsistent with the Marriage Act to the extent that it provided for a man and a woman to enter into a civil partnership.

The ACT Solicitor-General has also provided oral advice, in relation to the Civil Unions Bill 2011, which drew from the Jackson and Gageler advice.

I attach a copy of the Jackson and Gageler advice.

(A copy of the attachment is available at the Chamber Support Office).

Security—closed-circuit television (Question No 2173)

Mr Rattenbury asked the Attorney-General, upon notice, on 22 March 2012
(redirected to the Minister for Police and Emergency Services):

- (1) In relation to the audit of the closed circuit television (CCTV) systems in Civic, Manuka and Kingston mentioned on page 149 of the Justice and Community Safety (JACS) annual report 2010-11 and Key Performance Indicators (KPIs) mentioned on the JACS website which are used to assess the success of the systems, what are the KPIs.
- (2) What was the performance against the KPIs in the two most recent audits.
- (3) How will the \$40 000 upgrade and relocation of six CCTV cameras in Civic enable better performance against KPIs.
- (4) How is the success of CCTV systems in the Jolimont Centre, Canberra Stadium, EPIC and Manuka Oval measured.

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

- (1) The Justice and Community Safety (JACS) CCTV system is measured by seven (7) Key Performance Indicators (KPIs).

| | |
|---------------------------------|---|
| • Key Performance Indicator #1: | The number of incidents where CCTV has been utilised |
| • Key Performance Indicator #2: | The annual number of video clips provided to Police investigations |
| • Key Performance Indicator #3: | Percentage of CCTV camera hours recording |
| • Key Performance Indicator #4: | Annual cost per CCTV camera per operational hour |
| • Key Performance Indicator #5: | Average rectification time per systems failure |
| • Key Performance Indicator #6: | Number of complaints of the <i>CCTV Code of Practice</i> related to the ACT CCTV safety project reported, as per the Australia Federal Police Professional Standards and the <i>Public Sector Management Act 1994</i> |
| • Key Performance Indicator #7: | The percentage of members of the public surveyed in areas covered by CCTV safety systems who feel safer because of the presence of CCTV |

- (2) The last two audits for the JACS CCTV Project were undertaken in 2010 (for the period 1 June – 31 October 2010) and in 2011 (for the period 2010-2011).

| KPI | Description | 2010 Audit | 2010/11 Audit |
|-----|---|-------------------------------|-----------------------------------|
| 1 | The number of incidents where CCTV has been utilised | 485 incidents | 1,032 incidents |
| 2 | The annual number of video clips provided to Police investigations | 109 video clips | 233 video clips |
| 3 | Percentage of CCTV camera hours recording | 97.85% | 98.13% |
| 4 | Annual cost per CCTV camera per operational hour | \$3.36 | \$2.75 |
| 5 | Average rectification time per systems failure. | 2.85 days | 4.29 days |
| 6 | Number of complaints of the <i>CCTV Code of Practice</i> related to the ACT CCTV safety project reported, as per the Australia Federal Police Professional Standards and the <i>Public Sector Management Act 1994</i> | 0 | 0 |
| 7 | The percentage of members of the public surveyed in areas covered by CCTV safety systems who feel safer because of the presence of CCTV | N/A (No survey was conducted) | 59% of people surveyed felt safer |

- (3) The upgrade and relocation of six (6) CCTV cameras in Civic is part of an ACT Government initiative ‘*Revitalising Canberra City.*’ The six (6) cameras in Civic are part of the original installation in 2001 that still use copper wiring. The planned capital works aim to move the cameras from old camera poles to newly installed, multi-purpose Fyntrim poles.

The capital works will allow for the installation of fibre optic cables to replace the current copper wiring. Fibre optic cables are faster at transmitting data, use less power and provide less signal degradation. The upgrade and relocation of the six (6) CCTV cameras in Civic will have a positive impact on KPIs 3, 4, and 5.

- (4) The CCTV systems in the Jolimont Centre, Canberra Stadium, EPIC and Manuka Oval are measured as part of the whole JACS CCTV network. They are defined as ‘Tier 2’ cameras, which are audited annually by the JACS auditor and CCTV Audit Review Committee, and by the Auditor-General randomly on a 3-5 year rotating basis.

WorkSafe ACT—Ombudsman’s recommendations (Question No 2174)

Ms Bresnan asked the Attorney-General, upon notice, on 22 March 2012:

- (1) How many times has the Ombudsman made a recommendation for improvement to WorkSafe ACT.
- (2) What was each of these recommendations referred to in part (1).

- (3) How has WorkSafe ACT responded to each of these recommendations.

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

- (1) I am advised that WorkSafe ACT has only located three Ombudsman's investigations affecting WorkSafe ACT since 1 January 2010. Two related to asbestos and are included in the response to question on notice 2175 and one related to high risk plant. In regard to the approach by the one complainant regarding high risk plant, the Ombudsman made no recommendations and was "*reasonably satisfied in the circumstances that the Agency has now resolved his complaint*".
- (2) Refer to answer (1).
- (3) Refer to answer (1).

Asbestos—management (Question No 2175)

Ms Bresnan asked the Attorney-General, upon notice, on 22 March 2012:

- (1) Which laws currently govern the handling and removal of asbestos in a residential setting.
- (2) Which code of practice currently applies to the handling and removal of asbestos in a residential setting.
- (3) Which code of practice applied to the handling and removal of asbestos in a residential setting prior to the enactment of the Work Health and Safety Act 2011.
- (4) How many recommendations has the Ombudsman made to WorkSafe or the Government regarding processes or laws relating to the handling of asbestos in a residential setting.
- (5) What were each of the recommendations referred to in part (4) and how did WorkSafe or the Government respond to each recommendation.
- (6) How many recommendations has the Ombudsman made to WorkSafe or the Government regarding processes or laws relating to asbestos in any context.
- (7) What were each of the recommendations referred to in part (6) and how did WorkSafe or the Government respond to each recommendation.

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

- (1) All of the information relating to the laws that govern the handling of asbestos can be found at the ACT Government web-site on Asbestos, which is:
www.asbestos.act.gov.au.
- (2) The code of practice which currently applies is the *National Occupational Health and Safety Code of Practice for the Safe Removal Of Asbestos 2nd Edition*, which was adopted in 2006.

- (3) Refer to answer (2).
- (4) I am advised that WorkSafe ACT has only located two Ombudsman's investigations regarding asbestos since 1 January 2010. In one case the Ombudsman was satisfied that the actions taken were within its administrative decision-making power and were administered appropriately. The Ombudsman indicated that the feedback improvements being pursued were fitting. In the second case the Ombudsman indicated that *"it would appear that there is a gap in the information about what a person should do when they are not satisfied with the immediate conduct or services provided by an asbestos removalist in a residential setting"* and that they would like to have a meeting in the future to discuss asbestos removal in a residential setting. WorkSafe ACT will meet with the Ombudsman and will ensure that there is no gap in the publicly available information regarding satisfaction with services of an asbestos removalist.
- (5) Refer to answer (4).
- (6) Refer to answer (4).
- (7) Refer to answer (4).

Asbestos—management (Question No 2176)

Ms Bresnan asked the Minister for the Environment and Sustainable Development, upon notice, on 22 March 2012:

- (1) In relation to the laws and policies governing the removal and handling of asbestos in residential premises, what actions does the ACT Planning and Land Authority (ACTPLA) undertake to audit the work of licensed asbestos removers.
- (2) How many audits has ACTPLA undertaken of the work of licensed asbestos removers since the licensing requirements commenced operation.
- (3) How many complaints have been received by ACTPLA or WorkSafe about the work of licensed asbestos removers since the licensing requirements commenced operation.
- (4) How many times has ACTPLA suspended a licence or imposed conditions since the licensing requirements commenced operation.
- (5) How many recommendations has the Ombudsman made to ACTPLA regarding matters relating to asbestos.
- (6) What were each of the recommendations referred to in part (5) and how has ACTPLA responded to each of them.
- (7) When is building approval required for removing asbestos from residential premises.

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

- (1) The statutory position of the Construction Occupations Registrar (the Registrar) under the *Construction Occupations (Licensing) Act 2004* is the regulator of construction

services in the ACT. The Registrar is employed within the Environment and Sustainable Development Directorate.

The ESDD has a building audit team, whose function is to audit the work of licensed building certifiers, who issue Building Approvals (BA's) for all building work that requires an approval.

Where a building certifier issues a building approval involving the removal of asbestos the building certifier requires from the builder the submission of an Asbestos Management Plan for that building work.

The information collected by the building certifier is subject to an administrative check by the building audit team to ensure correct procedures that need to be followed have been identified by the building certifier in the building approval for the builder and the asbestos removalists.

- (2) No specific audits are undertaken of licensed asbestos removers.
- (3) Three cases meet these criteria. ESDD does not have access to WorkSafe complaints data.
- (4) Four construction occupation licensees have had their licence suspended and had conditions imposed upon their license.

The conditions required licensees to undertake an approved asbestos identification course. In addition, the licensees were required to provide written procedures for the licence holder to follow that met the requirements of asbestos identification to the Registrar,

One practitioner no longer holds an asbestos removalist licence and the issue of whether they should be able to hold an asbestos assessor licence is currently before ACAT.

- (5) An administrative review over ACTPLA and ESDD's past five years' records has identified that the Ombudsman has only been involved in one asbestos related matter. There were no asbestos related recommendations raised at the completion of the investigation by the Ombudsman.
- (6) Nil.
- (7) Under Section 42A of the *Building Act 2004* any building work which involves the handling of asbestos or disturbing friable asbestos is building work that requires a building approval.

There is an exemption under *Building (General) Regulation 2008* Schedule 1 item 25 that permits certain construction related occupations to handle not more than 10m² of bonded asbestos without building approval subject to holding a specific qualification and handling the asbestos in accordance with asbestos removal code.

**Housing ACT—property repair costs
(Question No 2181)**

Mr Coe asked the Minister for Community Services, upon notice, on 28 March 2012:

- (1) What is the total cost of repairs to Housing ACT owned properties that required maintenance due to malicious damage and/or vandalism each month in (a) 2010, (b) 2011 and (c) 2012 to date.
- (2) How much of the damage referred to in part (1) was attributed to (a) the tenant of the property damaged, (b) another Housing ACT tenant or (c) unknown.
- (3) How much of the cost of repairs identified and attributed in part (2) has been recovered.

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

The information sought is not in an easily retrievable form. To collect and assemble such information would require a considerable diversion of resources from the provision of direct services to clients, which I am not prepared to authorise.

**Sport and recreation—tennis
(Question No 2183)**

Ms Hunter asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012 (*redirected to the Minister for Economic Development*):

- (1) How many public tennis clubs are there in the ACT.
- (2) How does the Territory and Municipal Services Directorate (TAMS) determine the fees charged to local tennis clubs for tennis courts in Canberra.
- (3) How do the charges referred to in part (2) differ from fees charged for other sporting clubs and/or facilities.
- (4) What maintenance does TAMS do for tennis courts in the ACT and how much does this cost per court.

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

- (1) There are 23 leases provided to community tennis clubs in the ACT including the two leases provided to Tennis ACT at Lyneham. These leases are managed through the Environment and Sustainable Development Directorate.
- (2) The provisions in each individual Crown lease determine the land rent and other charges that are required to be paid by the individual lessee. For concessional leases, such as these community tennis clubs, the rate at which fees and charges are calculated is akin to that applied to commercial entities however the land valuation to which this rate is applied is significantly reduced due to its concessional status.

- (3) For the small number of ACT Government sportsgrounds that are subject to a lease or sub-lease there is an alternative charging model with a flat annual rate of up to \$1000 applied. This charging structure recognises the significant costs to the lessee of maintaining and irrigating the asset, but also the fact that these facilities are not single use, not restricted to public access and often serve a broader function as part of the open space network for community recreation.
- (4) The Territory does not perform routine maintenance on community tennis facilities under lease as this is an obligation of the lessee under the lease terms. However, the Territory has over time provided grants to many tennis clubs to improve their facilities, undertaken major works where there have been issues deemed to be beyond “routine” and conducted activities such as tree removal to help address facility issues.

Motor vehicles—crashes (Question No 2184)

Ms Bresnan asked the Attorney-General, upon notice, on 29 March 2012 (*redirected to the Minister for Territory and Municipal Services*):

- (1) In relation to ACT road crash statistics for the years 2000-2012, how many motor vehicle crashes occurred in each year.
- (2) How many road fatalities occurred in each year referred to in part (1) and which types of road users were involved.
- (3) Can the Minister provide a breakdown of crash numbers for each of these years based on the age of motor vehicle drivers including a breakdown of the number of (a) learner drivers, (b) provisional licence holders and (c) drivers aged 75 or over.
- (4) Can the Minister provide a list of the roads/intersections in Canberra where there are the most crashes and the number of crashes at these sites.

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

Crashes are either reported online by the ACT Policing/the public or received as hard copies at police stations. Roads ACT collects/receives these reports and enter them in a database before undertaking the analysis. There is therefore always a time difference between when crashes occur and when the analysis is undertaken. Analysis of the 2012 data is not undertaken until February 2013 when all crash reports are available. Details of fatal crashes are however always available.

- (1) On-road traffic crashes:

| Year | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|-------|------|------|------|------|------|------|------|------|------|------|------|------|
| Total | 8640 | 8624 | 8247 | 8287 | 7271 | 7002 | 7290 | 8179 | 7780 | 7843 | 7761 | 8470 |

- (2) Road fatalities by road users:

| Year | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|--------------|------|------|------|------|------|------|------|------|------|------|------|------|
| Pedestrian | 3 | 3 | 1 | 1 | 2 | 5 | 2 | 1 | 3 | 2 | 0 | 0 |
| Car driver | 8 | 9 | 6 | 4 | 5 | 8 | 6 | 8 | 3 | 4 | 10 | 3 |
| Passenger | 6 | 3 | 2 | 5 | 0 | 4 | 1 | 2 | 4 | 4 | 2 | 0 |
| Motorcyclist | 1 | 1 | 1 | 1 | 2 | 8 | 3 | 3 | 4 | 2 | 5 | 3 |
| Cyclist | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 2 | 0 |
| Total | 18 | 16 | 10 | 11 | 9 | 26 | 13 | 14 | 14 | 12 | 19 | 6 |

- (3) Information by age group is only available for casualties (ie people who have sustained an injury or where killed as a result of a traffic crash. The table below presents vehicle controllers (ie motor vehicle drivers; motorcyclist riders and cyclists) casualties by age group:

| Year | 0-14 | 15-19 | 20-24 | 25-29 | 30-34 | 35-39 | 40-44 | 45-49 | 50-54 | 55-59 | 60-64 | 65-69 | 70-74 | >75 | Unknown | Total |
|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-----|---------|-------|
| 2000 | 2 | 37 | 54 | 42 | 33 | 31 | 17 | 17 | 29 | 9 | 8 | 4 | 5 | 15 | 161 | 464 |
| 2001 | 2 | 18 | 55 | 34 | 36 | 36 | 30 | 31 | 14 | 8 | 5 | 7 | 5 | 12 | 120 | 411 |
| 2002 | 19 | 28 | 47 | 27 | 33 | 22 | 15 | 23 | 20 | 15 | 11 | 12 | 2 | 19 | 7 | 300 |
| 2003 | 3 | 15 | 42 | 30 | 33 | 21 | 12 | 15 | 19 | 9 | 3 | 3 | 8 | 14 | 58 | 285 |
| 2004 | 3 | 31 | 47 | 28 | 22 | 22 | 20 | 11 | 32 | 11 | 11 | 7 | 4 | 13 | 86 | 348 |
| 2005 | 1 | 47 | 62 | 32 | 39 | 28 | 41 | 34 | 11 | 20 | 6 | 10 | 4 | 17 | 55 | 407 |
| 2006 | 6 | 31 | 55 | 36 | 24 | 28 | 25 | 15 | 15 | 10 | 11 | 10 | 13 | 9 | 79 | 367 |
| 2007 | 3 | 45 | 79 | 60 | 49 | 40 | 41 | 42 | 31 | 25 | 13 | 5 | 1 | 12 | 29 | 475 |
| 2008 | 5 | 33 | 55 | 47 | 17 | 22 | 19 | 32 | 24 | 13 | 11 | 4 | 2 | 13 | 12 | 309 |
| 2009 | 1 | 57 | 85 | 55 | 48 | 49 | 41 | 38 | 37 | 26 | 15 | 5 | 9 | 28 | 12 | 506 |
| 2010 | 8 | 78 | 95 | 75 | 69 | 60 | 44 | 41 | 46 | 39 | 25 | 14 | 4 | 37 | 3 | 638 |
| 2011 | 8 | 72 | 100 | 77 | 68 | 48 | 63 | 47 | 41 | 26 | 19 | 13 | 8 | 31 | 2 | 623 |

(a) & (b) The type of licence (provisional and learner) is not always available. Information regarding the age group 17 to 19 presents a reasonable picture of people carrying such licences. The following table presents vehicle controllers casualties of that age group:

| Year | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|-------|------|------|------|------|------|------|------|------|------|------|------|------|
| Total | 32 | 15 | 27 | 14 | 28 | 41 | 29 | 42 | 30 | 55 | 70 | 71 |

- (4) Roads ACT produces an annual report presenting roads/intersections with the most crashes and their details. A copy of the latest report is available on the TAMS internet at http://www.tams.act.gov.au/move/roads/road_safety/crash_information.

Asbestos—management (Question No 2185)

Ms Bresnan asked the Minister for the Environment and Sustainable Development, upon notice, on 29 March 2012:

- (1) In relation to laws and policies governing the removal and handling of asbestos in residential premises, what laws or codes govern licensed asbestos removalists when they are performing asbestos removal.
- (2) Are there any penalties for breaching these laws or codes.
- (3) Do asbestos assessors, builders, or other people working in residential premises have any legal obligation to report potential breaches of safety, including in relation to asbestos.

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

- (1) The principle legislation governing working with asbestos are the *Building Act 2004*, the *Construction Occupations (Licensing) Act 2004*, the *Asbestos Removal Code*, the *Dangerous Substances Act 2004*, the *Environment Protection Act 1997* and the *Work Health and Safe Act 2011*

(2) Yes

(3) Yes

**Parking—Civic
(Question No 2187)**

Mr Seselja asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012 (*redirected to the Minister for the Environment and Sustainable Development*):

- (1) Can the Minister provide figures for each year from 2007 to present in relation to parking in Civic for (a) the number of short-stay parking spaces, (b) the number of long-stay parking spaces, (c) the cost of government parking spaces, (d) parking fees collected and (e) parking fines collected.
- (2) Can the Minister provide a list of privately managed parking facilities known to the Government including (a) corresponding parking space numbers and (b) parking charges.
- (3) Can the Minister list any future initiatives to increase parking in Civic including (a) description of project, (b) additional parking spaces to be created and (c) cost of project.
- (4) What initiatives are in place with developers to decrease the number of parking spaces in the ACT and can the Minister provide a description of (a) these initiatives and the incentives involved and (b) similar initiatives that have been discontinued, and corresponding incentives.
- (5) What is the rate of car trips into Civic in comparison to other modes of transport from 2007 to present.
- (6) Can the Minister provide the ratio of parking spaces to Civic workers from 2007 to present and how does this compare to ratios in Sydney and Melbourne in similar years.

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

- (1) (a) I am not able to provide figures for each year. The last parking survey of major centres was undertaken in late May and early June 2009. Prior to that, the last survey undertaken was in 2001. A new survey has been commissioned and will be undertaken in May 2012. In relation to short-stay parking, the number of publicly available short-stay parking spaces recorded in the City in the 2009 survey was 1,397 spaces.
- (b) The total number of long-stay spaces (4-hours or more) was 21,482 spaces, of which 12,507 were publicly available and 8,975 were for tenants.
- (c) The fees applying to ACT Government pay parking spaces from mid-2007 until the present are set out in Attachment A.

(d) Parking fees collected:

| Financial Year | Parking Fees Collected (City) |
|-----------------------|--------------------------------------|
| 2007-2008 | \$ 6,710,687.45 |
| 2008-2009 | \$ 6,325,330.60 |
| 2009-2010 | \$ 6,840,784.23 |
| 2010-2011 | \$ 6,494,618.15 |
| 2011-2012 to 29/2/12 | \$ 4,374,634.58 |

(e) Parking fines issued:

| Financial Year | Amount in parking fines issued (City)* |
|-----------------------|---|
| 2007-2008 | \$ 2,691,748.00 |
| 2008-2009 | \$ 3,127,337.00 |
| 2009-2010 | \$ 2,767,451.00 |
| 2010-2011 | \$ 3,898,770.00 |
| 2011-2012 to 29/2/12 | \$ 2,169,972.00 |

*Please Note, the above fine information is the amount in fines issued around the City from the Pinforce system. There may be some fines that have not been paid, or have been withdrawn after a dispute. The Office of Regulatory Services cannot break down the exact amount of fine payments received by *area only total of Canberra*.

- (2) Privately owned and managed parking facilities in the City for public use include the following, together with details of numbers of parking spaces and an indication of the daily and other fees are set out in Attachment B. Many of these facilities operate as multi-stay car parks, and details of the fees can be obtained from their web sites.
- (3) There are none at present, although studies have been undertaken on the use of the land in the Commonwealth Ave western loops between Vernon Circle and London Circuit and London Circuit and Parkes Way for temporary parking if additional spaces are needed.
- (4) (a) There are no such initiatives in place, other than the provision in the Parking and Vehicular Access General Code which allows a developer not to provide any parking for residential developments or residential visitors in CZ1 – Commercial Core Zones – in the City. To date, no developer has provided less than the standard provision for residential land uses required elsewhere across Canberra. (The ‘standard’ provision requirements are one parking space for each 1-bedroom unit, two spaces for each 2-bedroom unit and two spaces for each unit with three or more bedrooms. There is a provision which allows an average of 1.5 parking spaces per 2-bedroom unit, provided at least one parking space, and not more than parking spaces, is allocated to each 2-bedroom unit.)
- (b) There were none.
- (5) This is not something which can be answered definitively for the particular periods to which the question relates, from 2007 to the present. However, in terms of the journey-to-work, we know from the 2006 Census that approximately 57% of people who worked in the City and who travelled to work on Census day did so by car as the driver. Another 14% did so by car as passenger. Approximately 18% did so by bus, 6% walked only, 3% cycled and 2% did so by motor cycle or scooter.

- (6) No. But because there are approximately 25,000 parking spaces in the City (including the Braddon and Turner commercial areas) and there are approximately 35,000 jobs in the City, there are approximately 700 parking spaces per 1,000 jobs as a crude measure of parking provision.

(Copies of the attachments are available at the Chamber Support Office).

**Treasury Directorate—staff
(Question No 2188)**

Mr Seselja asked the Treasurer, upon notice, on 29 March 2012:

- (1) Can the Treasurer provide a breakdown of all current staffing levels in the (a) Budget Management and Analysis, (b) Project and Budget Management, (c) Accounting and (d) Budget Coordination and Reporting branches.
- (2) Are there vacancies in the branches referred to in part (1); if so, at what level are there vacancies.

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

- (1) Staffing levels as at 31 March 2012 were:
 - (a) Budget Management and Analysis Branch – 8 staff;
 - (b) Project and Budget Management Branch – 14 staff;
 - (c) Accounting Branch – 3.5 staff (not including Corporate Finance staff); and
 - (d) Budget Coordination and Reporting Branch – 13 Staff.
 - (2) Vacancies in the branches referred to in part (1) are:
 - (a) Budget Management and Analysis Branch – one vacancy at the Senior Officer Grade C level;
 - (b) Project and Budget Management Branch – one vacancy at the Senior Officer Grade C level;
 - (c) Accounting Branch – no current vacancies; and
 - (d) Budget Coordination and Reporting Branch – two vacancies, one at the Senior Officer Grade A level and one at the Senior Officer Grade C level.
-

**Labor Party—meetings
(Question No 2190)**

Mr Hanson asked the Minister for Health, upon notice, on 29 March 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, (b) on what dates and (c) was payment made at the time.

- (2) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) the 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 her employees; if so, (a) how many times, (b) on what dates and (c) was payment made at the time.
- (4) If payment was made (a) can the Minister detail the date of each meeting, (b) what were the amounts paid for each meeting and (c) what is the date that the payment was made for each meeting.

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

- (1) I undertake a wide range of activities to fulfil my duties as the Member for Molonglo, a number of which involve use of my office facilities. This is consistent with the 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.

Courts—unsafe convictions (Question No 2191)

Mr Rattenbury asked the Attorney-General, upon notice, on 29 March 2012:

- (1) In relation to subsection 422(1)(f) of the *Crimes Act 1900* which limits the number of inquiries into unsafe convictions that may be applied for, is the ACT the only Australian jurisdiction to limit the number of inquiries in such a way; if not, what other jurisdictions limit the number of applications and what are the relevant pieces of legislation.
- (2) Has the Attorney-General and/or the ACT Government sought any briefings or information from the Justice and Community Safety Directorate, the Chief Justice of the Supreme Court or the legal profession on the section and whether it is appropriate to remain on the ACT statute book; if so, what briefings or information were received.
- (3) In relation to the *Crimes Legislation Amendment Bill 2001* which created the limitation on the number of inquiries which is continued in the current subsection 422(1)(f), do directorate records exist from 2001 which indicate the policy rationale behind the limitation at the time; if so, what was the policy rationale.
- (4) In relation to section 423 of the *Crimes Act 1900* which creates the discretion for the Executive to order an inquiry into an unsafe conviction on its own initiative, what mechanisms exist for the ACT Government to make itself aware of new evidence that may be relevant to considerations of whether to exercise the discretion.

- (5) Is there any policy of Government to assist or guide the Executive in the exercise of its discretion; if so, what is the policy.

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

- (1) Mr David Eastman has commenced legal proceedings seeking review of the decision of Justice Marshall. The subject matter of the question, the interpretation of section 422(1)(f) of the *Crimes Act 1900*, will be a matter in issue. Accordingly it is not appropriate for me to answer the question at this time.
- (2) Refer to answer (1).
- (3) Refer to answer (1).
- (4) The Executive may, of its own motion, order an inquiry into a conviction or may do so on request by an applicant.

The Executive may inform itself about new evidence by whatever reasonable means are available.

- (5) In ordering an inquiry the Executive must be satisfied that the grounds set out in section 422(1) of the *Crimes Act 1900* are satisfied, in particular, that there is a doubt or question as to the guilt of the applicant, which could not have properly been addressed at trial or on appeal, which then gives rise to a significant risk that the conviction is unsafe.

The general standard of proof which governs administrative decision making would be applied to the decision making of the Executive in ordering an inquiry. That is, the Executive would need to be reasonably satisfied that a doubt or question exists having regard to probative material or relevant and credible information. Mere assertion would not be sufficient.

Horses—agistment (Question No 2193)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012:

- (1) In relation to horse agistment, what are the terms of contract between the ACT Government and the company Territory Agistment in relation to fire management plans.
- (2) Do fire management plans need to be provided by the agistment company to paddock users.
- (3) Are fire management issues discussed at Government Paddock Users Group meetings.
- (4) How often are the meetings, referred to in part (3), held.

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

- (1) The terms of the contract between the ACT Government and *Territory Agistment* in relation to fire management are identified as item.20 'Fire Fuel Management' in the contract document (excerpt at **Attachment 1**).
- (2) There is no requirement in the contract for fire management plans to be provided to paddock users.
- (3) Fire management issues are included on the agenda for meetings of the Government Paddock Users Group at relevant times of the year.
- (4) As often as both parties require. There is no requirement for either a set number or frequency of meetings.

(A copy of the attachment is available at the Chamber Support Office).

Cemeteries—natural burials (Question No 2194)

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012:

- (1) Does the website for the Territory and Municipal Services Directorate under the heading of *Proposed Southern Cemetery, Frequently Asked Questions – Natural Burials* state that “*Natural burial is being considered as an option for the proposed southern cemetery. Feedback from consultation with the community and a further feasibility study will inform the decision on whether to proceed with natural burial as a part of the southern cemetery*”; if so, what is the progress on the further feasibility study.
- (2) Has any estimate been made of the capital cost of establishing the new cemetery and the ongoing operating costs; if so, what are these estimates.
- (3) What will be the estimated cost of the natural burial site as a component of the new cemetery.

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

- (1) Yes. The ACT Public Cemeteries Authority Board has considered submissions and information gathered throughout the public consultation process. It has decided that natural burial will form an integral part of the new Southern Cemetery.
- (2) At this stage, an estimate has not been made of the capital cost of establishing the new cemetery and the ongoing operating costs.
- (3) It is not expected that the cost of a natural burial site (allotment) will vary greatly from the cost of a standard burial site (allotment). However, funeral expenses may differ.

The cost of establishing a natural burial section within the new cemetery has not yet been determined.

**Territory and Municipal Services Directorate—community engagement
(Question No 2195)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012:

- (1) What amount has been budgeted for community engagement by the directorate in the current financial year.
- (2) Is the amount referred to in part (1) based on a proportion of the cost of individual projects, or is it based on a set figure allocated to community engagement.

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

1. There is no separate budget for community engagement for the directorate. Community engagement is core business for the directorate and is included in activities that are undertaken on a daily basis.
2. Please refer to answer 1.

**Children—playground upgrades
(Question No 2197)**

Ms Le Couteur asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012:

- (1) Given that the website of the Territory and Municipal Services Directorate, under the heading of *Playground Safety Program*, notes that “A style of playground installed in the late 1980s had many elements that no longer meet current Australian Standards. These elements are now judged as high risk and when funds are available, the playgrounds with these elements are replaced before others”, how many playgrounds in the ACT are in this category.
- (2) What is the approximate cost of upgrading all of these playgrounds, such that they meet current Australian standards.
- (3) What is the Government plan for their replacement, and over what period.
- (4) Are any safety warnings displayed at these playgrounds.
- (5) Have there been any accidents at playgrounds that do not meet the Australian Standards, since the standards were last updated in 2004, for which the state of the playground has contributed to the accident or to the physical trauma caused by the accident; if so, has the ACT Government been required to, or voluntarily agreed to, pay compensation to the victim or the victim's family.
- (6) Is the Minister able to say whether the Government would be legally obliged to pay compensation in any future instance for contributing to an accident by not properly maintaining municipal playgrounds.

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

- (1) All playgrounds managed by the Territory and Municipal Services (TAMS) Directorate were designed and built in line with the Australian and ACT standards for playgrounds in effect at the time of building.

The most recent edition of the Australian Standards for playgrounds came into effect toward the end of 2005. The current standard is not retrospective - hence there is no requirement for organisations to immediately update playgrounds built prior to 2004. However, the ACT Government has a Playground Safety Program to progressively update playgrounds to meet the new standards.

The referenced quote on the TAMS website related to a style of playground installed prior to 2004. Whilst this style of playground still complied with the standards in effect at the time of construction, many elements of this type of playground no longer complied with the most recent edition of the Australian Standard. In 2004 there were 58 playgrounds of this style in the ACT.

As part of the Playground Safety Program, 42 playgrounds in this style have been removed or upgraded since the new standard has come into effect. The remaining playgrounds in this style are progressively being updated through the renewal program, based on their level of risk, priority rating and ongoing annual program funding.

The terminology 'high risk' used on the TAMS website is standard technical terminology used internationally within risk management practices. It is apparent that this terminology has the potential to be misinterpreted. Accordingly, the reference on the TAMS website will be amended to 'high priority for renewal'.

- (2) 16 playgrounds in this style remain. To renew these playgrounds approximately \$1.920 million would be required.
- (3) Replacement of the remaining higher priority playgrounds will be achieved through the Playground Safety Program. TAMS manages approximately 500 playgrounds throughout the ACT and upgrades to playgrounds and any major improvements are prioritised according to playground safety needs. This is achieved through regular compliance audits of all ACT playgrounds to determine an upgrade priority list. The upgrade is then delivered through the Playground Safety Program. The playgrounds identified for attention are refurbished consistent with current Australian Standards with funding of approximately \$1 million per year (based on current funding patterns).
- (4) Safety warning signs are not considered necessary at these playgrounds as they are considered safe and fit for purpose. The safety of playgrounds is maintained through the regular maintenance inspections and the Playground Safety Program.
- (5) Six accidents were reported to have occurred since 2004 in playgrounds with play equipment that is non compliant with the current standards. In one incident the play equipment most likely contributed to the event where a panel was missing from a climbing unit; in two incidents the play equipment did not contribute; and in the remaining three incidents, based on information provided in Accident and Incident Reports, it is not possible to determine if the non compliance with 2004 standards directly related to the reported incident.

Two incidents remain active with compensation requirements still to be determined. No compensation was paid for the other four incidents.

- (6) The ACT Government has regular maintenance and safety upgrade programs in place to ensure play equipment is fit-for-purpose, providing safe yet challenging and fun public play facilities.

If these maintenance and safety upgrade programs were not in place, then the ACT Government could potentially be liable for incidents directly caused by the non-compliance.

Planning—supermarkets (Question No 2199)

Ms Le Couteur asked the Minister for Economic Development, upon notice, on 29 March 2012 (*redirected to the Minister for the Environment and Sustainable Development*):

- (1) In relation to calculations for retail floor space per capita, what is the most recent estimate of (a) retail and (b) supermarket gross floor area per capita in Canberra and how does this compare to other capital cities in Australia.
- (2) In relation to information received from the Minister that assessing demand for new supermarket floor space is based on established formula used by the Environment and Sustainable Development Directorate of 0.4m² per capita, what is the basis for this formula and why is this set much higher than all other capital cities across Australia.
- (3) Given that recommendation 13 of the Supermarket Competition Policy Review (2009) stated that for existing local centres facing sustainability pressures, solutions should be based on conversion to intense, multi-storey residential usage combined with a proportionately scaled commercial and convenience usage, have any local centres been identified for more intense development with a view to maintaining the viability of the local shopping centre.
- (4) Are any other local centres currently under assessment regarding such potential for development; if so, which centres.

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

- (1) In 2011 the per capita retail provision in the ACT was estimated at 2.15m² (Gross Floor Area), including restaurant/cafe space as retail. The per capita provision of supermarket space was estimated to be 0.34 m².

Information on comparative floorspace for other capitals is not readily available. In 2005, based on data from Ibecon, the per capita supermarket provision in Canberra was the second lowest in Australia at 0.27m² (Net Sales Area). Sydney had the lowest provision, 0.25m² per capita, and Perth the highest, 0.37m² per capita.

- (2) The 0.4m² per capita is an indicative measure for long term planning. It is a general guide as to the Canberra wide level of floorspace supportable.

A report prepared in 2010 for the planning agency by Macroplan Australia, identified a national supermarket benchmark of 0.35m² per capita with the benchmark increasing by 0.5 per cent a year. The increase in the benchmark reflects the trend to increasing retail expenditure per capita.

The assessment of supermarket space supportable in an area considers the likely supermarket expenditure, the sales turnover per square metre of floorspace necessary to support supermarket space, the existing level of supermarket space and the potential impact on other centres.

The level of retail expenditure is influenced by the size and characteristics of the catchment population and the levels of work based and visitor expenditure. Given these variables, some variation in the provision of retail floorspace between areas could be expected.

(3) No.

(4) No.

Planning—strategy (Question No 2200)

Ms Le Couteur asked the Minister for Economic Development, upon notice, on 29 March 2012 (*redirected to the Minister for the Environment and Sustainable Development*):

- (1) When does the Government plan to release the final version of the ACT Planning Strategy.
- (2) Will the Territory Plan's Statement of Strategic Directions be updated to ensure consistency with the new ACT Planning Strategy.

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

- (1) The final version of the ACT Planning Strategy will be released after consideration by the Government.
- (2) When the Strategy is completed and adopted, the Environment and Sustainable Development Directorate will consider if a review the Territory Plan's Statement of Strategic Directions, is required.

Planning—social impact assessment (Question No 2203)

Ms Le Couteur asked the Minister for the Environment and Sustainable Development, upon notice, on 29 March 2012:

- (1) Why is it that the proponent of an application for deconcessionalisation commissions the social impact assessment, rather than the Government commissioning an independent assessor, and then passing on the costs to the proponent.

- (2) What measures does the Government have in place to prevent conflicts of interest arising from the above outlined proponent commissioning of social impact assessments.
- (3) How is it that lease purpose clauses are approved for concessional sites, when the lessees are unable to redevelop to those purposes without deconcessionalisation.
- (4) What are the criteria the Treasurer would use for waiving any debt owing to the Territory as a part of any deconcessionalisation process and what role does the planning authority play in this.

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

- (1) A Social Impact Assessment (SIA) is prepared by the proponent in the same way as an environmental impact assessment is prepared by the proponent. The SIA is a supporting document to the DA not dissimilar to a valuation report which is required to be submitted in support of certain development applications for lease variation. The SIA is independently reviewed by the planning and land authority.
- (2) Conflict of interest is a matter for the proponent and the consultant to resolve. Consultants are bound by their own professional codes of conduct that deal with the issue of conflict of interest. However, if the Environment and Sustainable Development Directorate (ESDD) became concerned that a conflict of interest might exist, then ESDD would raise it with the proponent and this might result in the need for a new SIA to be prepared by an independent person.
- (3) A variation to the purpose clause of a lease cannot be registered if the proposal is inconsistent with the concessional status of the lease. Therefore, although a DA may be lodged for assessment purposes, the approval would not take effect unless a separate application to remove the concessional status of the lease is also approved. These applications can be considered concurrently as one application or two separate applications but the decision would still not take effect unless and until the concessional status of the lease has been removed.
- (4) The Treasurer is able to waive debt under section 131(a) of the *Financial Management Act 1996* (the FMA). The FMA does not specify the criteria for the grant of waivers. Consideration is on a case by case basis and the criteria used for assessment of the application is that it should satisfy at least one of the following conditions:
 - Government legislation, though properly applied is producing an unforeseen and perverse outcome;
 - the Territory has contributed through action or inaction of one of its agencies, to the liability for, or value of, the debt; or
 - a fair or just result can be brought about only by a waiver of the debt.

Roads—Hindmarsh Drive (Question No 2216)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012 (*redirected to the Attorney-General*):

- (1) What is the (a) highest and (b) lowest average speed recorded by the point to point speed camera located on Hindmarsh Drive.
- (2) How many motorists were recorded as travelling (a) 10 to less than 15 km/h, (b) 15 to less than 30 km/h, (c) 30 to less than 45 km/h and (d) 45 km/h or more, over the average speed limit by the point to point speed camera located on Hindmarsh Drive since the commencement of operation.

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

- (1) The answer to the Member's question is as follows:
 - (a) 119 km/h is the highest average speed recorded by the point to point speed camera located on Hindmarsh Drive as of 4 April 2012; and
 - (b) Publishing information on the lowest average speed recorded may create a "*de facto*" speed limit and not encourage motorists to drive within the speed limit.
- (2) The answer to the Member's question is as follows:
 - (a) 625 motorists were recorded driving at ≤ 15 km/h above the speed limit;
 - (b) 30 motorists were recorded driving at > 15 km/h but ≤ 30 km/h;
 - (c) 3 motorists were recorded driving at > 30 km/h but ≤ 45 km/h; and
 - (d) There were zero (0) motorists recorded driving at > 45 km/h.

These figures are for infringements detected between 27 February and 4 April 2012.

ACTION bus service—statistics (Question No 2218)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012:

- (1) What is the approximate average distance a passenger travels on an ACTION bus as used for route planning calculations.
- (2) What is the average amount of a time a full-time ACTION bus driver spends on the road in any week.
- (3) In relation to part (2), how much of the time on the road is (a) in service, (b) dead running and (c) idle, for instance, at a layover facility,
- (4) What is the level of emissions for each type of bus in the ACTION fleet.
- (5) What facilities are owned or managed by ACTION.
- (6) What is the workforce profile for staff employed by ACTION.

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

1. The average distance travelled by a passenger on an ACTION bus is a metric that will be available upon the completion of the MyWay reporting system in mid 2012.

2. The average amount of time a full-time ACTION bus driver spends on the road in any week is 39 hours 35 minutes (Monday-Friday network)
3. In relation to part (2)
 - a) in service: 29hr 50 min (Monday-Friday network);
 - b) dead running: 5hr 5min (Monday-Friday network);
 - c) idle: 4hr 40min (Monday-Friday network)
4. As at 30 March 2012 the ACTION in-service fleet mix, as ranked against the European emissions standards, was:

| | |
|---|-----------------------|
| Euro I | 138 Renault PR 100.2s |
| | 42 Renault PR100.3s |
| | 33 Renault PR 180.2s |
| | 25 Dennis Darts |
| Euro II | 20 Iris Agoras |
| Euro III | 54 CNG Scania |
| | 16 CNG MANs |
| Euro IV | 2 A69 MANs |
| Euro V | 78 A69 MANs |
| EEV (Enhanced Environmentally Friendly Vehicle) | 20 Scania Steer Tags |

5. ACTION owns and manages both Belconnen and Tuggeranong bus depots.
6. The workforce profile for staff employed by ACTION, as at 28 March 2012, is as follows:

| | |
|--------------------------------------|------------|
| Female staff | 95 |
| Non-English speaking background | 295 |
| Aboriginal or Torres Strait Islander | 8 |
| Disabled | 4 |
| Part-time: | 279 |
| Casual | 74 |
| Under 21 years of age | 7 |
| Over 45 years of age (mature age) | 594 |
| Total number of employees | 903 |

Roads—pedestrian crossing warning lights (Question No 2219)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 29 March 2012:

What is the cost of installing a set of pedestrian crossing warning lights, similar to those used on Constitution Avenue at the Canberra Institute of Technology.

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

Installing lights similar to those on Constitution Avenue at the Canberra Institute of Technology would cost an average of around \$15,000. Site conditions such as services can have a significant impact on costs and as such an average cost should be used with caution.

**Community Services Directorate—bad and doubtful debts
(Question No 2221)**

Mr Coe asked the Minister for Community Services, upon notice, on 29 March 2012:

What is the total bad and doubtful debt.

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

See Note 22 – Receivables on pages 63 and 210 of the Annual Report Volume Two.

**Housing ACT—maintenance costs
(Question No 2223)**

Mr Coe asked the Minister for Community Services, upon notice, on 29 March 2012:

- (1) What is the average (a) yearly cost of maintenance, (b) maintenance cost at the end of a tenancy, (c) cleaning cost at the end of a tenancy and (d) cost of administration related to (i) houses, (ii) bedsits, (iii) flats, (d) OPA and (e) garden flats.
- (2) What are the costs, referred to in part (1), by region.

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

- (1) (a) \$33.9 million which equates to approximately \$2,900 per dwelling
(b) \$1,182 per dwelling
(c) \$362 per dwelling
(d) This information is not recorded.
 - (2) (a) Belconnen \$9.9 million, City \$7.9 million, Tuggeranong \$7.6 million and Woden \$8.8 million
(b) Belconnen \$1,288 per dwelling, City \$1,178 per dwelling, Tuggeranong \$1,446 per dwelling and Woden \$956 per dwelling.
(c) Belconnen \$354 per dwelling, City \$353 per dwelling, Tuggeranong \$393 per dwelling and Woden \$364 per dwelling.
(d) This information is not recorded.
-

**Housing ACT—community housing
(Question No 2224)**

Mr Coe asked the Minister for Community Services, upon notice, on 29 March 2012:

- (1) What is the cost to the Territory for houses managed by community housing providers.
- (2) How many houses are managed by the community housing sector.
- (3) In relation to part (2), how many are owned by the (a) community housing sector and (b) Government.
- (4) How many properties has the ACT Government transferred ownership to the community housing sector.
- (5) Which community housing providers are registered in the ACT and, of those, how many have national accreditation.
- (6) Which community housing providers currently operate in the ACT.
- (7) How many properties does each provider referred to in part (6) manage.
- (8) In relation to the common waiting list, how many tenants have been placed in social housing, by provider, including Housing ACT properties.

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

- (1) \$5,469,737 which was comprised of \$469,737 in 2011-2012 funding payments, approximately \$2 million in foregone rental revenue and \$3 million in property ownership costs. In addition, newly constructed property valued at \$21.26 million was transferred in 2010-2011 and a further \$5.94 million was transferred in 2011-2012.
- (2) 955
- (3) 331 owned or part owned by the community housing sector and 624 owned by Government
- (4) 252, including those built on church land and part owned.
- (5) Community Housing Canberra, trading as CHC Affordable Housing.
Argyle Community Housing Ltd
Havelock Housing Association Inc.
Capital Community Housing Inc.
Environmental Collective Housing Organisation (ECHO) Inc.
Tamil Senior Citizens Association Inc.

There is no national accreditation scheme for community housing providers, only nationally recognised standards such as the National Community Housing Standards and ISO 9001:2008. All organisations listed above are accredited against nationally recognised standards.

- (6) Community Housing Canberra, trading as CHC Affordable Housing.
Argyle Community Housing Ltd
Havelock Housing Association
Capital Community Housing

Environmental Collective Housing Organisation (ECHO)
Tamil Senior Citizens Association
Stepping Stones
Bambragh Housing Ltd
Salvation Army Community Housing Service
Inanna Inc.

(7) Community Housing Canberra, t/a CHC Affordable Housing – 268

Argyle Community Housing Ltd – 225 in the ACT
Havelock Housing Association - 243
Capital Community Housing - 50
Environmental Collective Housing Organisation (ECHO) - 32
Tamil Senior Citizens Association – 14
Stepping Stones - 9
Bambragh Housing Ltd - 23
Salvation Army Community Housing Service – 23
Inanna Inc. – 65

(8) Housing ACT - 1105

Argyle Community Housing Ltd – 52
CHC Affordable Housing - 20
ECHO - 4
Havelock Housing Association - 75
Salvation Army - 23
Tamil Senior Citizens Association - 3

Questions without notice taken on notice

Animal welfare

Ms Gallagher (*in reply to a question and a supplementary question by Ms Le Couteur on Thursday, 23 February 2012*): On 4 February 2010, the Animal Welfare Advisory Committee (AWAC) formally recommended a Code of Practice for the Sale of Animals in the ACT (other than stock and commercial scale poultry) (the Sales Code) to the Government for implementation under section 22 of the *Animal Welfare Act 1992*.

Subsequent to this, on 19 March 2010, AWAC was requested by the then Chief Minister, to re examine the Sales Code with a view to including mandatory standards, as permitted under recent changes to the *Animal Welfare Act 1992*.

It is acknowledged that there have been delays in progressing the Sales Code. The sensitivity of the issue and the time required by AWAC to consider the mandatory standards and to reach consensus has contributed to delays with the Committee's development of a draft Sales Code.

TAMS has reviewed the AWAC draft Sales Code and, as it contains provisions (mandatory standards) that are enforceable by law, the directorate is seeking legal advice on the application and reasonableness of the provisions through the Justice and Community Safety Directorate. At the same time, I have asked TAMS to commence stakeholder consultation on the draft AWAC Sales Code.

In relation to the broader discussion paper to be released in mid 2010, I am advised that this did not occur, mainly due to the change of focus to include mandatory standards. While there have been lengthy delays to date, I have now asked TAMS to commence stakeholder consultation on AWAC's draft Sales Code as soon as possible, rather than taking more time in developing a discussion paper.

Thank you for raising these matters with me.

Trees—replacement

Ms Gallagher (*in reply to a question and a supplementary question by Ms Hunter on Thursday, 30 June 2012*): The Expert Reference Group (ERG) has not been reconvened. The ERG was established to make recommendations on the implementation of the Urban Forest Renewal Program which was discontinued in line with Recommendation 1 in the Report by the Commissioner for Sustainability and the Environment (CSE) following the 'Investigation into the Government's tree management practices and the renewal of Canberra's urban forest'.

The CSE recommended the Urban Forest Renewal Program be replaced with comprehensive and integrated urban tree protection and management focused on the care and maintenance of Canberra's tree landscape. In addition, the CSE recommended a cross agency Tree Network Committee be developed to provide advice and coordination between agencies on tree management and communication.

The Government agreed to these recommendations in February 2012.

The Government is preparing an implementation plan for the CSE's recommendations.

Kambah shopping centre

Ms Gallagher (*in reply to a question and a supplementary question by Mr Smyth on Thursday, 30 June 2012*): In terms of direction signs, 'shops' signs have already been provided at major intersections leading to the centre including the intersections of Boddington Street with O'Halloran Circuit, Bateman Street and Castley Circuit.

In terms of clarifying the internal circulation, there is a "No Entry" sign at one of the entrances to this car park. I am advised by Roads ACT that further direction markings are not considered necessary.

ACT public service—employees working from home

Ms Gallagher (*in reply to a question and a supplementary question by Ms Le Couteur on Thursday, 22 March 2012*): In recognition of my responsibilities as Chief Minister in relation to the ACT Public Service, your question has been directed to me for response by the Minister for Industrial Relations, Dr Chris Bourke MLA.

- 1) I am advised that a pilot carpooling scheme for staff engaged by ACT Health has been in operation since 2010, assisting to address parking pressure for staff during ongoing development works at Canberra Hospital. I am also advised that the Government is in the process of expanding this service to all ACT Public Service staff, anticipating roll-out of these services by 1 July 2012.

The initiative recognises the potential broader benefits in promoting car pooling in conjunction with other sustainable transport alternatives (such as walking, cycling, using public transport) to offer the greatest flexibility for staff to reduce their car journeys.

As an employer the ACT Public Service (ACTPS) recognises that home based work arrangements can benefit both employees and Directorates. The various enterprise agreements currently in place across the service include express reference to the availability of home based work as a form of flexible working arrangements that may be made available to staff.

- 2) The definition of 'workplace' provided under the *Work and Health Safety Act 2011* (the WHS Act) is quite broad and can include an employee's home premises where they are undertaking approved home based work. Accordingly, the ACTPS continues to have work health and safety responsibilities in relation to officers who are undertaking regular home based work. Formal home based work arrangements require a home based workstation assessment to be completed prior to the arrangements taking effect.

Employees who perform some or all of their duties from home also have responsibility for their workplace health and safety. All employees are under an obligation to report all work accidents/incidents in accordance with the WHS Act.

There may also be occasions where it is appropriate for an employee to work from home on an ad hoc basis, for example, the need to complete a particular report or project. In these circumstances, arrangements to work from home are to be negotiated on a case by case basis between the employee and their manager (including in relation to work safety and information security).

ACT public service—employees working from home

Ms Gallagher (*in reply to a supplementary question by Ms Bresnan on Thursday, 22 March 2012*): In recognition of my responsibilities as Chief Minister in relation to the ACT Public Service, your question has been directed to me for response by the Minister for Industrial Relations, Dr Chris Bourke MLA.

As an employer the ACT Public Service is committed to providing a workplace which is flexible, supportive, safe and innovative. The ACTPS recognises that home based work arrangements can benefit both employees and employing Directorate as it assists employees to balance their work and personal commitments.

In many cases, home based work arrangements facilitate an employee's ongoing participation in the workforce in circumstances where the same level of contribution would not be possible in the absence of this flexibility. Common examples include employees with caring responsibilities such as parents seeking to return to work after a period maternity/paternity leave or those providing care support for the ageing or ill members of our community.

In approving home based work arrangements the ACT Government must act in a manner consistent with overriding fiscal responsibilities for the proper management of Territory funds.

Applications to work from home are considered on a case by case basis — the key considerations are suitability of the work for this arrangement, operational requirements, cost effectiveness and the circumstances of the employee. An employee must be able to work as efficiently and effectively as an equivalent staff member who is office based.

ACT public service—employees working from home

Ms Gallagher (*in reply to a supplementary question by Mr Hargreaves on Thursday, 22 March 2012*): In recognition of my responsibilities as Chief Minister in relation to the ACT Public Service, your question has been directed to me for response by the Minister for Industrial Relations, Dr Chris Bourke MLA.

The *ACT Legislative Assembly Member's Staff Enterprise Agreement 2011-2013* (the Agreement) establishes the conditions of engagement that apply to members of the ACT Legislative Assembly and persons engaged under the *Legislative Assembly (Members' Staff) Act 1989* in a classification set out in Annex A to the Agreement.

Relevantly, this includes Advisors (levels 1-3), Senior Advisor (levels 1-2) and Chief Advisor.

Clause E8 of the Agreement sets out the availability of home based work arrangements for staff covered by its terms, which is consistent with the availability of these arrangements for members of the ACTPS.

Implementation of this policy is a matter for the Legislative Assembly.

Domestic Animal Services—sale of dogs

Ms Gallagher (*in reply to a supplementary question by Mr Smyth on Thursday, 29 March 2012*): The information for the period 1 April 2011 to 31 March 2012 is as follows:

| | |
|--|-----|
| No. of dogs sold by Domestic Animal Services to Canberra residents | 201 |
| No. of dogs taken by rescue or foster organisations in the ACT | 113 |
| No. of dogs taken by interstate rescue or foster organisations or by persons residing interstate | 123 |
| No. of dogs euthanized by a veterinarian due to behavioural or health issues | 127 |
| No. of other dogs euthanized by a veterinarian | 84 |

Education—excellence and enterprise framework

Dr Bourke (*in reply to a question by Ms Hunter on Thursday, 29 March 2012*): The purpose of the professional development opportunities offered and undertaken by teachers in 2011 and 2012 directly address Key Direction 1: Improve educational outcomes for students with high academic ability. The focus of the professional development for both pilot school teachers and school leaders has been to build capacity in:

- Effective identification of gifted and talented students
- Content parameters of the Virtual Learning Academy (VLA)
- Technology tools of the VLA.

The professional development that has been made available to teachers is as follows:

| PRESENTER | PROFESSIONAL DEVELOPMENT FOCUS |
|---|--|
| Dr John Munro, Associate Professor Exceptional Learning, Melbourne Graduate School of Education, Early Learning, Development and Inclusion. | <p>Dr Munro facilitated four professional development sessions with the following focus:</p> <ul style="list-style-type: none"> o The expert knower as a framework for describing gifted learning and thinking (3 days). o Using group knowledge to build school knowledge |

| PRESENTER | PROFESSIONAL DEVELOPMENT FOCUS |
|---|--|
| Bronwyn MacLeod, Director of Gateways Education and Coordinator of the JASON Project for the Asia-Pacific region. | <p>Bronwyn MacLeod facilitated six professional development sessions with the following focus:</p> <ul style="list-style-type: none"> o Utilising the JASON Project curricula to model a differentiated science curriculum (2 days). o VLA overview – purpose and design; timelines and management strategies for implementation o Effective identification and VLA program offerings o Teacher and Mentor preparation day o Introductory day of VLA Semester 1 Pilot Program |
| Information and Knowledge Services, ACT Education and Training Directorate (ETD) | <p>Information and Knowledge Services facilitated two professional development sessions with the following focus:</p> <ul style="list-style-type: none"> o The technology platform – Part I: connected Learning community (cLc) o The technology platform – Part II: Adobe Connect |

To ensure teachers and students are appropriately supported throughout the implementation of the Virtual Learning Academy pilots, ongoing professional development and evaluation processes have been planned as follows:

| PRESENTER | PROFESSIONAL DEVELOPMENT FOCUS |
|--------------------------|---|
| Gateways Education staff | <p>Gateways Education will facilitate a professional development sessions on:</p> <ul style="list-style-type: none"> o Mentor and team day for students, mentors and pilot school staff to work collaboratively on their projects |
| Bronwyn MacLeod | <p>Bronwyn MacLeod will facilitate two professional development sessions on:</p> <ul style="list-style-type: none"> o Semester 1 pilot program presentation day o Evaluation of semester one pilot through student, teacher and mentor evaluation |

In addition to the professional development, the Virtual Learning Academy Project Team meets weekly to ensure the progression of this initiative. This has often included video conferencing with Gateways Education staff who are based in Sydney. As a continuing support mechanism, pilot schools will receive ongoing assistance from Directorate staff in content delivery, the technology platform and student wellbeing.

Dr Bourke (*in reply to a supplementary question by Ms Hunter on Thursday, 29 March 2012*): It was pleasing to note the significant response from local community organisations interested in membership of the Tuggeranong Re-engaging Youth Network Board. No applicant was “rejected” from such an excellent field. There are sixteen members of the Tuggeranong Re-engaging Youth Network Board. Nine of the positions on the Board are mandated positions.

There were 13 expressions of interest for the remaining positions; seven were successful, five were unsuccessful and one was withdrawn. The selection process for the Board was determined by the use of a skills and experience matrix to ensure membership of the Board was representative of the Tuggeranong community and regional service providers.

The Tuggeranong Re-engaging Youth Network Board is the first of four network boards to be established. Three more boards are currently being finalised, one for the Belconnen region, one for the South Weston region and one for the North Canberra/Gungahlin region.

Dr Bourke (*in reply to a supplementary question by Ms Bresnan on Thursday, 29 March 2012*): In response I am pleased to advise that the implementation of the suspension support teams in the Melba Copland and Kingsford Smith clusters has resulted in fewer students being suspended overall.

Combined Cumulative total number of students suspended in the both clusters: 2009, 2010 and 2011

| | 2009 | 2010 | 2011 |
|--------|------|------|------|
| Totals | 346 | 248 | 239 |

MELBA COPLAND CLUSTER

Cumulative total number of students suspended by school: 2009, 2010 and 2011

| | 2009 | 2010 | 2011 |
|-------------|------------|------------|------------|
| Totals | 257 | 155 | 93 |
| Year Groups | Years 7-12 | Years 7-12 | Years 7-12 |

KINGSFORD SMITH CLUSTER

Cumulative total number of students suspended by school: 2009, 2010 and 2011

| | 2009 | 2010 | 2011 |
|-------------|-----------|-----------|-----------|
| Totals | 89 | 93 | 146 |
| Year Groups | Years P-7 | Years P-8 | Years P-9 |

It is important to note that 2011 was the first year Kingsford Smith School had a year 9 group. Developmentally this is the year group that has the highest suspension rate across the system. However, it was interesting to note that Kingsford Smith School in Term 3, 2011 had 77 students suspended however in Term 4, 2011 only had 8 students suspended.

Dr Bourke (*in reply to a supplementary question by Ms Le Couteur on Thursday, 29 March 2012*): Full service schools provide targeted delivery of support services to young people who are most at risk of:

- not engaging in education and/or,
- experiencing unsuccessful transition from schooling to further education and training.

Work has begun on the development of a student engagement framework for ACT public schools to guide the provision of education for students who are at risk of disengaging, or who have already disengaged from school. A part of that framework will draw on the intentions of full service schools to promote collaboration between schools and community stakeholders and the integration of government and community agencies to better meet the needs of students.

Healthy young people feasibility study

Ms Gallagher (*in reply to a question by Ms Bresnan and supplementary questions by Ms Bresnan, Ms Le Couteur and Ms Hunter on Thursday, 22 March 2012*): The Feasibility Report was finalised in January 2012. This final report is available on the Health Directorate website (see below).

Since January, a number of steps have been undertaken to progress the Government Response to the Recommendations:

- The Ministers of Education and Training, Community Services, and also Environment and Sustainable Development were provided with a copy of the report as these Directorates will have responsibility for a number of the recommendations.
- Discussion has taken place with the wider Health Directorate; Education and Training, Community Services, and Environment and Sustainable Development Directorates regarding the Governance arrangements. The Child Youth Health Reference Group will provide the Governance mechanism to manage the recommendations.
- The Health Directorate (Population Health Division) has progressed a number of the recommendations for which they are the lead agency, namely:
 - o Established a strong relationship between the ACT Government Health Directorate and the Education and Training Directorate to strengthen the partnership approach to health promotion and the delivery of evidence-based health education in schools.
 - o Youth Engagement Events (The Preliminary Report for ACT Healthy Young People Feasibility Study recommends the implementation of a Youth Assembly in 2012. Provision has been made through the Healthy Kids Healthy Future Budget Initiative to support the implementation of this.) There are two high quality events of a similar nature in the ACT:
 - 1) Youth InterACT Conference held on 13 April 2012. The young people selected “Healthy Lifestyle” as one of the headline forum topics for the day. The Health Directorate’s Health Promotion Branch (HPB) provided support with the delivery of this forum; and

- 2) The inaugural ACT Youth Parliament 2012 which will be held 9 – 13 July 2012. The HPB will act as an advisor on the health issues to support the young people in attendance at the Legislative Assembly.
- o Undertake an evaluation of the School Youth Health Nurse Pilot Program. This is being undertaken by the Australian National University.

The Feasibility Study Report is available online via the ACT Government Health website, which can be accessed at:

<http://health.act.gov.au/health-services/population-health/health-promotion-branch/healthy-children-and-young-people>

The cost of the study was \$90,830 (GST inclusive). This was funded from the Healthy Futures budget.

Public feedback sessions were held before the Report was produced to inform participants of the content. The final report is available online at :

<http://health.act.gov.au/health-services/population-health/health-promotion-branch/healthy-children-and-young-people>

The contribution of parents and young people was confidential and in many cases, anonymous. Due to the nature of this element of the consultation, detailed individual feedback will not be provided however the report is available to the public via the ACT Government website.