



Debates

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Legislative Assembly for the ACT

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Thursday, 18 September 2014

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Thursday, 18 September 2014

The Assembly met at 10 am.

(Quorum formed.)

MADAM SPEAKER (Mrs Dunne) 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.

Suspension of sitting

MADAM SPEAKER: I hate to do this to members, but we have a problem with the recording system with Hansard. The technicians are here and attempting to fix it, but we do not at this stage have the capacity to record. The proposal at this stage is that we suspend until the ringing of the bells.

Sitting suspended from 10.03 to 10.22 am.

Justice and Community Safety Legislation Amendment Bill 2014 (No 2)

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (10.21): I move:

That this bill be agreed to in principle.

I am pleased to present the Justice and Community Safety Legislation Amendment Bill (No 2) this morning. This bill amends a number of acts to improve their operational effect, without amounting to a major change in policy. The amendments are minor and uncontroversial in nature. The bill amends the following acts: Administration and Probate Act 1929; Agents Act 2003; Family Provision Act 1969; Human Rights Commission Act 2005; Powers of Attorney Act 2006; and Public Trustee Act 1985. The bill also makes consequential amendments to legislation resulting from the introduction of the Information Privacy Act 2014 and amendments to the commonwealth's Privacy Act 1988.

As I will outline, the amendments in this bill will deliver benefits to people in the community, contribute to a reduction in red tape for licensed agents and improve transparency of the administration of estates.

The bill makes two amendments to the Administration and Probate Act 1929. The first provides for the use of an approved form by an executor or administrator prior to

the distribution of a testator's or intestate person's assets. The amendment will provide certainty and consistency for legal personal representatives when issuing notices prior to the distribution of an estate. The second amendment provides a statutory right for interested people to access copies of a deceased person's will.

The bill defines who is an "interested person", including a beneficiary under the will, a partner or child of the person or a parent or guardian. This amendment means that an interested person will no longer have to apply to the Supreme Court to get access to testamentary documents. An interested person requesting access to the will bears the cost of a request, and the person who has possession or control of the documents is obliged to provide access. The provision is consistent with the statutory right granted by New South Wales. It ensures the transparent administration of an estate and allows interested parties with a legitimate interest to access the will.

The bill also amends the Agents Act 2003 to clarify that it is an offence if a salesperson is not registered and is employed by a licensed agent when providing a service. It is not an offence if a person is licensed to provide the service. This amendment applies to real estate salespeople, stock and station salespeople and business salespeople.

The bill also includes a red tape reduction amendment to remove the requirement that a licensed agent provide a statutory declaration to the Commissioner for Fair Trading to declare that the licensed agent has not held trust money during an audit period. The removal of this mandatory requirement will reduce unnecessary red tape by requiring only that an agent indicate on their licence renewal form whether they have held money on trust for the period of registration.

The amendment does not diminish protection to consumers, since licensed agents will still be obliged to regularly declare whether they have held any money on trust. Safeguards in relation to trust accounts already exist under the act, which requires a licensed agent to give the Commissioner for Fair Trading details of any new trust account within two business days of the agent becoming a licensed agent or opening the new trust account.

The proposed amendment to the Family Provision Act 1969 reduces the time in which the Supreme Court can direct an order for provision following the distribution of property forming part of an estate. This amendment is consistent with the time in which a family provision claim can be made against a deceased estate. The proposed amendment will reduce delays in the finalisation of an estate and will provide greater certainty and peace of mind to the beneficiaries of an estate.

The bill amends the Human Rights Commission Act 2005 to allow the Human Rights Commission to give a report to a third party during the investigation of a complaint by the commission. This will allow the commission to provide a report to a third party, as defined by the act, in circumstances where the commission is satisfied that it is in the public interest, and in other appropriate circumstances provided for under the act. For example, systemic issues and issues of public safety, which are discovered during the course of investigation, will be able to be referred to a third party, such as a minister, even if the third party is not subject to a recommendation in a report. Benefits of this include that a third party would then be able to address systemic issues as they arise.

The bill also amends section 95 of the same act to clarify that notices about a consumer's right to make a complaint and provide feedback must be displayed prominently by service providers at their premises. This amendment makes sure that service providers are clear about the requirements to provide information to consumers about their right to make a complaint and how feedback may be given to the service provider.

The bill amends the Powers of Attorney Act 2006 to remove any doubt that a principal must not appoint a person as an attorney if that person is under 18 years old. This amendment is consistent with the definition of "child" in the Legislation Act.

The bill amends the Public Trustee Act 1985 to require an entity to provide information relevant to the exercise of the Public Trustee's powers. Under this amendment, the Public Trustee may require relevant information held by other entities, such as the national exchange of vehicle and driver information system, to assist the Public Trustee to undertake their statutory functions. The amendment provides greater operational and administrative efficiency when dealing with client matters and is consistent with the provision under New South Wales law.

Finally, the bill makes minor and technical amendments to various acts following the introduction earlier this year of the Information Privacy Act 2014 and amendments to the commonwealth Privacy Act 1988. The Information Privacy Act, which commenced on 1 September, introduced ACT-specific legislation to regulate the handling of personal information by public sector agencies. The Information Privacy Act introduced 11 territory privacy principles which set out obligations on public sector agencies when collecting, using, disclosing, storing and destroying personal information. The consequential amendments primarily amend references to terms no longer applicable under the new privacy legislation framework.

The bill also makes a number of amendments to facilitate the operational functions of ACT government agencies, increase efficiency, and provide members of the public with greater clarity and consistency. I commend the bill to the Assembly.

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

Environment Protection Amendment Bill 2014

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (10.30): I move:

That this bill be agreed to in principle.

The Environment Protection Act 1997 is the primary legislation that protects the ACT's environment. The act is an integrated legal framework to regulate activities that have the potential to generate pollution and cause environmental harm, promote environmental awareness, and encouraging progressive environmental improvements. The framework follows the central tenet of protecting and enhancing the quality of the territory's natural and built environment by preventing environmental degradation and adverse risk of harm to human health and the health of the environment. This framework recognises the need to achieve an effective integration of environmental, economic and social considerations.

The act is supplemented by the Environment Protection Regulation 2005 which contains environmental standards for emissions and includes specific offences and penalties for breaches of the legislation.

The bill will simplify and modernise the objects of the act and enhance enforcement options such as the introduction of enforceable undertakings that are proportionate to the environmental harm. The amendments to the act will also introduce strict liability offence provisions for specific actions. This includes circumstances where a person has failed to implement or maintain appropriate pollution controls for an activity that has the potential to cause environmental harm.

The amendments to the act will further facilitate a proactive approach to protecting the environment through expansion of the definition of environmental harm to now include the concept of "likely" or "potential" to cause environmental harm, thereby providing an objective approach to determine the seriousness of the offence. This approach will bring the ACT in line with contemporary environment protection legislation throughout Australia, particularly New South Wales, within which the ACT is, of course, a key regional partner.

The amendments to the act will facilitate a proactive approach to protecting the environment through a number of modernisation changes, ensuring that the legislation remains responsive to the changing needs of our community.

The government has long recognised the importance of having contemporary laws that are effective and achieve their objectives whilst ensuring that the legislation remains responsive to the changing needs of our community. During 2012-13 the act and the regulation were reviewed as a proactive approach to ensure that the law remained contemporary and responsive to the changing needs of our community.

The amendments to the law include consideration of submissions received from the public and also from analysis of the general legislative framework for environment protection across various jurisdictions in Australia.

The comparative analysis with environment protection laws in other Australian jurisdictions showed that the ACT's Environment Protection Act would benefit from amendments that will further support the effectiveness of the legislation and strengthen environmental safeguards to achieve good environmental outcomes.

The bill therefore will simplify and modernise the objects of the act and enhance enforcement capabilities by providing response options that are proportionate and appropriate based on this review.

As a matter of good governance, contemporary legislation is achieved through a proactive approach to evaluating the effectiveness of legislation from time to time. This bill is a result of that approach. The bill seeks to amend the act by contemporising the legislation consistent with other Australian jurisdictions, expanding the regulatory and enforcement mechanisms available to the EPA and streamlining existing administrative processes.

The amendments to the legislation can be broadly categorised into three main areas—major amendments, specific amendments and minor amendments. Major amendments broaden the scope of the operations within the legislation and are the main recommendations from the review.

Activity specific amendments have been introduced for activities conducted in the territory that require regulatory controls to ensure that the risk of environmental harm is mitigated. These amendments include either licensing a specified activity or creating strict liability offences under the regulation. Minor amendments will streamline administrative processes for efficiency in administering the act or amendments that clarify the intent of the act's provisions.

I am now pleased to detail each of these key amendments. The obligation to take reasonable and practicable action to prevent or minimise environmental harm currently exists under the act. One of the major amendments will expand on this obligation. It will align relevant provisions with the environmental obligation under part 3 of the act for a person to take reasonable and practicable action to include that a person must prevent or minimise potential or likely environmental harm.

The introduction of “likely” and/or “potential” in the definition of environmental harm will further facilitate a proactive educative approach to protecting the environment by providing an objective approach to determine the seriousness of the environmental offences. The bill will introduce the concept of “likely” or “potential” harm throughout the law. This change will be of particular importance because of the number of improvements and benefits that it instils in the operation of the act.

Environmental harm as defined in the legislation is the direct or indirect alteration of the environment from activities that have environmental impacts which can be transient or cumulative. Introducing the concept of “likely” and “potential” harm ensures transient and cumulative impacts to the environment are properly considered in enforcing the act.

This will address enforcement limitations currently faced by the Environment Protection Authority from the transient and cumulative impacts to the environment from legislative breaches or authorised activities. The change will align the definition of environmental harm and the environmental obligation to minimise harm caused or likely to be caused and the threshold of proving environmental offences.

This ensures that those undertaking activities that have the potential to cause harm to our environment are subject to the same tenets of environmental law that exist in the other jurisdictions, which promotes consistency and a shared understanding of the value placed on the environment by our community.

The bill intends to broaden the enforcement options and tools available to the EPA by the introduction of enforceable undertakings. Enforceable undertakings allow an alleged offender to voluntarily enter into, with the EPA, a binding agreement to undertake tasks to settle an alleged contravention of the law and, by restitution, remedy the harm caused to the environment.

Enforceable undertakings are an important enhancement to the enforcement capability of the EPA as they have the ability to provide significant and ongoing commitments to compliance that aim to improve environmental practices. As a regulatory tool, enforceable undertakings will be an important intermediate compliance tool that provides a reasonable and practical option to redress environmental damage at the instigation of the alleged offender without the EPA resorting to a criminal prosecution.

Enforceable undertakings have a deterrent effect that is similar to a successful prosecution due to the ability of the EPA to include terms and conditions to the undertaking but without the criminal record imposed by the courts. Enforceable undertakings are an effective regulatory tool that will complement the already established enforcement approach.

The bill also seeks to make some offences strict liability offences. A strict liability offence under the Criminal Code 2002 means that the mens rea, or the fault element, does not form part of what is necessary to prove the offence. This means that conduct alone is sufficient to make the defendant culpable.

In the context of protecting the environment, a person's alleged actions resulting in environmental harm may limit the ability of the community to enjoy the environment and impose costs to rectify the harm. Regardless of a person's intent, if they perform an act that results in environmental harm they should be held to account or ordered to remedy the harm. The use of strict liability offences as a deterrent and educative tool is justifiable and reasonable in this context.

The activity specific reforms in this bill are amendments which have been identified from operational experiences in administering the act where regulatory gaps have been identified. The bill proposes that waste transfer stations be included in the list of prescribed activities under the act requiring an environmental authorisation.

Waste transfer stations are facilities where unwanted materials are unloaded from collection vehicles for subsequent transport to recycling operations or to landfill. Operational experience, as well as EPA practices in other jurisdictions, indicate that these activities have the potential to cause significant harm to the environment.

There are a number of environmental issues associated with the day-to-day operation of waste transfer stations, including contamination of stormwater, odour, noise, dust

and litter, which have the potential to harm the immediate and surrounding environment if not appropriately managed.

An environmental authorisation will assist in managing the environmental impacts from the day-to-day operation of these facilities through the conditions under the environmental authorisation and the mandatory review of the waste transfer station's environmental performance.

Electronic waste contains hazardous substances which have the potential to cause significant harm to the environment. A number of the substances contained in electronic waste are toxic to humans and the environment in the event of their release.

The management of electronic waste is an emerging issue nationally and internationally which requires an appropriate level of regulatory oversight to ensure the protection of human health and the environment. The authorisation of these activities will ensure the appropriate safeguards are in place.

The bill also contains minor amendments which are primarily intended to streamline administrative processes and clarify legislative provisions. One of the amendments in this category is the streamlining of the public notification and advertising of environmental authorisations. Currently the act provides for a public notification process through advertising in a daily newspaper and uploading of the placement of the instrument onto the ACT legislation register when an authorisation is applied for and again when it is granted.

An administrative process requiring multiple public notifications for the same activity is redundant in the administration of the law and notification of the community. This bill will streamline this process by removing the requirement for public notification when the EPA grants an authorisation.

This process will not remove the community's voice or limit the transparency to partake in the public consultation process. Members of the community will still be able to make submissions within a specified period under the act about publicly notified applications for environment authorisations.

Instead of public notification through advertisement in a daily newspaper, members of the community who lodge submissions about an application for environment authorisations will be provided with written notification of the EPA's decision on whether to grant or deny the application.

Notification of the grant will be placed on the ACT legislation register and a copy of the authorisation itself will be available for public inspection and on the directorate's website. The removal of public notification through advertising of grants simplifies and streamlines the process of notification.

There are also a number of minor administrative and information and communication technology implications arising from the proposed amendments. Minor directorate budget implications are expected to arise from requirements in reforming the contaminated sites register as part of the proposed amendments for providing greater transparency and information on the management of contaminated sites in the territory.

Along with enforceable undertakings, a civil penalty scheme was proposed in early discussions to be included in this bill to expand the regulatory tools available to the EPA in administering and enforcing the legislation. Whilst a civil penalty scheme is an additional monetary penalty mechanism, the option for criminal prosecution remains unchanged. Issues of uncertainty in how such a scheme would operate in the current ACT administrative and judicial framework were raised during consultation with relevant agencies.

The Human Rights Unit in the Justice and Community Safety Directorate recommended further analysis of the potential operation of the scheme and its application to the ACT environment be undertaken. The government has therefore concluded that the civil penalty scheme should not be included in the bill at this time. Subject to the outcome of further analysis, the scheme may be introduced as a separate legislative proposal in the future.

The amendments to this act will enhance enforcement capabilities, provide response options that are proportionate to the environmental damage and ensure that the law remains responsive to the changing needs of the ACT community.

This is an important bill for the territory and our community. The changes that the bill will bring about will streamline regulatory processes, ensuring the integrity and operation of the act whilst encouraging improvements and better environmental practices.

The amendments will enhance the enforcement options available to the EPA as the regulatory body administering the act by providing response mechanisms that are proportionate. The bill will allow for a proactive approach in protecting the environment through updates to the definition of environmental harm and robust regulation of specific activities that have a risk of causing environmental harm. These will further strengthen the legislative environmental safeguards.

The bill will also simplify and modernise the act by enhancing and streamlining administrative processes. The bill will bring the ACT's environment protection law in line with other Australian jurisdictions. The bill will deliver improved outcomes for the community, businesses, the government and, most importantly, the environment. I commend the bill to the Assembly.

Debate (on motion by **Ms Lawder**) adjourned to the next sitting.

Nature Conservation Bill 2014

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (10.47): I move:

That this bill be agreed to in principle.

Today I present the Nature Conservation Bill 2014. In October 2013 I outlined a range of measures that were included in the bill when I tabled an exposure draft of it. I will reiterate the purpose of the bill today and some of its key features and outline some of the changes that have been made as a result of the exposure draft consultation process which ran from 31 October last year and also some of the refinements that were informed by the roundtable consultation, the report of which was tabled in the Assembly on 15 May this year.

This bill will strengthen the ACT's existing nature conservation framework. It will complement the recently finalised nature conservation strategy which outlines the principal strategies and actions for nature conservation in the ACT over the next decade. The Nature Conservation Act 1980 has been the primary ACT law for the protection and handling of native plants and animals, the identification and protection of threatened species and ecological communities, management of national parks and nature reserves and the conservation of the ACT's natural resources.

This bill replaces the Nature Conservation Act 1980 and aims to update nature conservation processes and procedures to allow more efficient, flexible and effective application of nature conservation policy and importantly to make processes more accountable and transparent. The bill aims to rationalise regulatory approaches while maintaining appropriate and efficient environmental standards.

The key features of the bill are the alignment of ACT law with those of other jurisdictions, statutory requirements for monitoring of species and ecosystems and for review of a range of statutory plans and strategies, the provision of additional accountability and transparency measures particularly relating to the Conservator of Flora and Fauna's role, and facilitating flexible approaches to management of species and ecosystems. Proposed amendments have been informed by public consultation through the discussion paper on the review of the act during 2010 and 2011, public consultation on the draft nature conservation strategy in late 2012, recommendations made by the Commissioner for Sustainability and the Environment and the recent exposure draft and roundtable consultation processes.

I now turn to some of the key reforms in this bill. An objects clause is included in the bill. Objects guide the intent and interpretation of provisions, including when sanctions are imposed by a court. The Nature Conservation Act 1980 did not include objects and this was identified as an issue in early consultation on the bill. The objects clause was further expanded as a result of both the exposure draft and roundtable consultations.

The primary object of the bill is to conserve, protect and enhance the biodiversity of the ACT. The objects of the bill will be achieved through implementation of the range of statutory strategies and plans made under the act as well as through the arrangements for licensing of actions and the application of appropriate offences and penalties when actions are taken contrary to licensing and permitting arrangements. In exercising a function under the act the minister must have regard to the objects of the act.

Turning to the role of the Conservator of Flora and Fauna, the Conservator of Flora and Fauna is one of the key roles established through this bill. The bill clarifies and expands the role of the conservator. The role has been expanded to provide a statutory basis for monitoring and reporting on the state of nature conservation and the effectiveness of management programs. The conservator must prepare and publish a two-year biodiversity research and monitoring program, publish a biennial report on this program and its implementation, consult with the Scientific Committee on priorities for the program and about appropriate methods and approaches to monitoring, consider the role of citizen science and arrangements for data sharing and transfer, and take reasonable steps to carry out a nature conservation monitoring program.

As a result of the various consultation processes the bill now gives the conservator a statutory responsibility to contribute data and information to the Commissioner for Sustainability and the Environment's state of the environment report and to have regard to any ACT government response to an investigation report released by the commissioner concerning a conservation matter. As a result of this further consultation a number of other additional responsibilities have been given to the conservator. These include a requirement for the conservator to have regard to the nature conservation strategy and to not act inconsistently with the objects of the act. These additional roles add further accountability measures to the conservator's role.

Turning to the ACT Parks and Conservation Service and conservation officers, the bill continues the role of the ACT Parks and Conservation Service in managing conservation reserves. Conservation officers provide advice and assistance to both the land custodian and the conservator. Enforcement powers of conservation officers under the bill are proposed to more closely align with conservation officers under the Fisheries Act 2000 and the Environment Protection Act 1997. This will allow additional certainty for officers while authorisation under a range of acts will allow more effective and efficient regulation across the ACT.

In relation to the Scientific Committee, the Flora and Fauna Committee will be renamed the Scientific Committee and is required to consist of a majority of non-public servants. The Scientific Committee will have a clear role in reviewing and making recommendations on action plans and native species conservation plans. Additional consultation between the Scientific Committee and the conservator will be required in the preparation of the nature conservation strategy, action plans and native species conservation plans. This makes good use of the expertise of the members of the committee and involves them in the management of threatened and protected species as well as in their listing.

Turning to threatened species and ecological community listings, the bill proposes to align the threatened species and ecological community categories for listing with the categories used under the commonwealth's Environment Protection and Biodiversity Conservation Act 1999. A new category of "conservation dependent" has been added. This allows species subject to reintroduction programs, such as the bettongs in Mulligans Flat, to be accorded a high level of protection. A provisional listing is also proposed in the bill. This listing will ensure an item is protected while a formal listing process under one of the threatened species or ecological community categories is progressed.

As well as the proposed amendments to the threatened species categories, amendments are also proposed for protected species, with three categories identified. These are restricted trade, rare and data deficient. While a protected species provision is now provided in the current act, no categories were identified.

Key strategic documents are retained under the bill and new plans introduced to allow better conservation of species and ecological communities both within the ACT and where they cross into other states. Plans and strategies under the bill provide adaptive and responsive approaches to planning biodiversity conservation and provide detailed strategies for its management.

The nature conservation strategy provides high-level strategic direction for the conservation of biodiversity. Climate change is likely to be the most significant impact on the ACT's biodiversity over coming decades, and the importance of considering climate change was raised in consultation processes. For this reason strategies and actions to address the actual and potential impacts of climate change must be considered within the nature conservation strategy and also in threatened species action plans.

Plans relating to the management of species which are facilitated through the bill include the traditional approach to management of threatened species through action plans as well as facilitating new approaches to species management through native species conservation plans and controlled native species management plans. The native species conservation plans provide for the management of conservation dependent species and any other species that require management. This includes management of native fish species that are stocked in Canberra's lakes, the reintroduction of bettongs and other species into Mulligans Flat sanctuary, rare plant breeding programs and the like.

Controlled native species management plans provide a statutory planning process for the management of native species that cause economic, social or environmental damage. The process requires that the case for management is established within a controlled native species declaration and the proposed management is outlined in a strategic plan for the management of that species.

An important component of the bill is the responsibility of the conservator and the custodian to implement the plans. For controlled native species management plans, this includes the ability for the conservator and custodian to authorise action. The management planning for conservation reserves has been brought into the Nature Conservation Bill. Activities declarations based on the provisions of a management plan for a particular area will make it clear what can and cannot be done in each area. Permits for recreational use will be issued under the Public Unleased Land Act 2013 in consultation with the conservator.

Turning to resource protection areas, this bill proposes the use of resource protection areas within reserves. These areas are used to restrict access or activities where there is a strong need for restoration or rehabilitation, for example, if they are damaged through bushfire. One suggestion received during the exposure draft consultation was for access through a resource protection area to be given consideration. In response to

this, consideration of access will be delivered through the activities declaration process. That declaration can be reviewed at any time but at least every three years.

Turning to licensing, the arrangements for licensing of actions related to plants and animals have been modernised. Many of the current arrangements for licensing are included in regulations and disallowable instruments. To aid clarity, much of this subsidiary regulation has been brought into the bill. The processes are not significantly different to those established previously but now mirror those of the Public Unleased Land Act 2013.

Finally, turning to offences and penalties, the majority of the offences within the bill are continued from the 1980 act. These have been reviewed and are consistent with comparable offences in other ACT law or with similar offences in other jurisdictions. The most serious offences within the bill relate to either clearing vegetation or damaging land in reserves. The penalties for these offences are on a sliding scale, depending on whether or not the offending action was intentional, reckless or negligent. The penalties also reflect the seriousness of the damage, with a higher level offence being applied to any clearing or damage which impacts on significant biodiversity assets.

As a result of the exposure draft consultation, a new clause has been added which allows the court to order the person to take specified action to publicise the contravention and its environmental consequences as well as any restoration action undertaken. This provides an alternative civil penalty in addition to the criminal sanctions within the bill.

To close, it is important to reiterate that the protection and management of biodiversity is fundamental to the achievement of a sustainable future. It is therefore timely to ensure that the Nature Conservation Bill reflects the range of contemporary methods available for monitoring and managing biodiversity while still maintaining traditional protections for species and ecosystems.

I would like to particularly thank all of the officers in the Environment and Planning Directorate who have worked for such a long and dedicated period on this bill. Their counsel and advice to the government and to me as the minister have been invaluable throughout, and I commend them for their efforts. I commend the bill to the Assembly.

Debate (on motion by **Ms Lawder**) adjourned to the next sitting.

Annual and financial reports 2013-14

Reference to standing committees

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (11.02): I move:

That:

- (1) the annual and financial reports for the calendar year 2014 and the financial year 2013–2014 presented to the Assembly pursuant to the *Annual Reports*

(Government Agencies) Act 2004 stand referred to the standing committees, on presentation, in accordance with the schedule below;

- (2) the annual reports of ACT Policing and the Office of the Legislative Assembly stand referred to the Standing Committee on Justice and Community Safety and Standing Committee on Public Accounts respectively;
- (3) notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the calendar year 2014 and financial year 2013-2014 annual and financial reports at any given time;
- (4) standing committees are to report to the Assembly by the last sitting day in March 2015;
- (5) if the Assembly is not sitting when a standing committee has completed its inquiry, a committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (6) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio/s	Standing Committee
ACT Auditor-General		Chief Minister	Public Accounts
ACT Building and Construction Industry Training Fund Authority		Minister for Education and Training	Education, Training and Youth Affairs
ACT Electoral Commission		Attorney-General	Justice and Community Safety
ACT Gambling and Racing Commission		Minister for Racing and Gaming	Public Accounts
ACT Human Rights Commission		Attorney-General	Justice and Community Safety
ACT Insurance Authority		Treasurer	Public Accounts
ACT Insurance Authority	Office of the Nominal Defendant of the ACT	Treasurer	Public Accounts
ACT Long Service Leave Authority		Minister for Workplace Safety and Industrial Relations	Justice and Community Safety
ACT Ombudsman		Chief Minister	Public Accounts
ACT Policing		Minister for Police and Emergency Services	Justice and Community Safety
ACTEW Corporation Limited		Treasurer	Public Accounts
ACTTAB Ltd		Treasurer	Public Accounts
Canberra Institute of Technology		Minister for Education and Training	Education, Training and Youth Affairs
Chief Minister and Treasury Directorate		Chief Minister	Public Accounts
Chief Minister and Treasury Directorate	ACT Executive	Chief Minister	Public Accounts

Chief Minister and Treasury Directorate	Industrial Relations Policy Workplace Compensation and Workplace Safety	Minister for Workplace Safety and Industrial Relations	Justice and Community Safety
Chief Minister and Treasury Directorate	Default Insurance Fund	Minister for Workplace Safety and Industrial Relations	Justice and Community Safety
Chief Minister and Treasury Directorate	Work Safety Council	Minister for Workplace Safety and Industrial Relations	Justice and Community Safety
Chief Minister and Treasury Directorate	Regional Development	Minister for Regional Development	Public Accounts
Chief Minister and Treasury Directorate	Economic, Budget and financial management	Treasurer	Public Accounts
Commerce and Works Directorate	ACT Government Procurement Board	Treasurer	Public Accounts
Commerce and Works Directorate	Director of Territory Records	Treasurer	Public Accounts
Commerce and Works Directorate		Treasurer	Public Accounts
Commissioner for Public Administration		Chief Minister	Public Accounts
Community Services Directorate	Arts Policy, Advice and Programs (including Arts ACT)	Minister for the Arts	Education, Training and Youth Affairs
Community Services Directorate	Community Affairs—Aboriginal and Torres Strait Islander Affairs	Minister for Aboriginal and Torres Strait Islander Affairs	Health, Ageing, Community and Social Services
Community Services Directorate	Community Affairs—Ageing	Minister for Ageing	Health, Ageing, Community and Social Services
Community Services Directorate	Community Affairs—Multicultural Affairs	Minister for Multicultural Affairs	Health, Ageing, Community and Social Services
Community Services Directorate	Community Affairs—Women	Minister for Women	Health, Ageing, Community and Social Services
Community Services Directorate	Community Development and Policy	Minister for Community Services	Health, Ageing, Community and Social Services

Community Services Directorate	Disability and Therapy Services	Minister for Disability	Health, Ageing, Community and Social Services
Community Services Directorate	Housing ACT	Minister for Housing	Health, Ageing, Community and Social Services
Community Services Directorate	Children, Youth and Family Services (Child and family centre program; children services; youth services)	Minister for Children and Young People	Education, Training and Youth Affairs
Community Services Directorate	Children, Youth and Family Services (Care and protection services)	Minister for Children and Young People	Health, Ageing, Community and Social Services
Community Services Directorate	Official Visitor— <i>Children and Young People Act 2008</i>	Minister for Children and Young People	Health, Ageing, Community and Social Services
Cultural Facilities Corporation		Minister for the Arts	Education, Training and Youth Affairs
Director of Public Prosecutions		Attorney-General	Justice and Community Safety
Economic Development Directorate	Directorate corporate management and Governance Economic Development Business Development	Minister for Economic Development	Public Accounts
Economic Development Directorate	Tourism Policy and Services (including Australian Capital Tourism)	Minister for Tourism and Events	Public Accounts
Economic Development Directorate	Venues and Events	Minister for Tourism and Events	Planning, Environment and Territory and Municipal Services

Economic Development Directorate	Sport and Recreation Services	Minister for Sport and Recreation	Planning, Environment and Territory and Municipal Services
Education and Training Directorate		Minister for Education and Training	Education, Training and Youth Affairs
Environment and Sustainable Development Directorate		Minister for the Environment	Planning, Environment and Territory and Municipal Services
Environment and Sustainable Development Directorate	ACT Heritage Council	Minister for Planning	Planning, Environment and Territory and Municipal Services
Environment and Sustainable Development Directorate	ACT Planning and Land Authority	Minister for Planning	Planning, Environment and Territory and Municipal Services
Environment and Sustainable Development Directorate	Conservator of Flora and Fauna	Minister for the Environment	Planning, Environment and Territory and Municipal Services
Environment and Sustainable Development Directorate	Environment Protection Authority	Minister for the Environment	Planning, Environment and Territory and Municipal Services
Exhibition Park Corporation	Economic Development Directorate	Minister for Economic Development	Public Accounts
Health Directorate		Minister for Health	Health, Ageing, Community and Social Services
Independent Competition and Regulatory Commission		Treasurer	Public Accounts
Justice and Community Safety Directorate		Attorney-General	Justice and Community Safety
Justice and Community Safety Directorate	Corrective Services	Minister for Corrective Services	Justice and Community Safety
Justice and Community Safety Directorate	Emergency Services Agency	Minister for Police and Emergency Services	Justice and Community Safety
Justice and Community Safety Directorate	Transport Policy and Regulation	Attorney-General	Justice and Community Safety
Land Development Agency		Minister for Economic Development	Planning, Environment and Territory and Municipal Services
Legal Aid Commission (ACT)		Attorney-General	Justice and Community Safety
Office of the Commissioner for Sustainability and the Environment		Minister for the Environment	Planning, Environment and Territory and Municipal Services
Office of the Legislative Assembly		Speaker	Public Accounts
Public Advocate of the ACT		Attorney-General	Justice and Community Safety
Public Trustee for the ACT		Attorney-General	Justice and Community Safety
Territory and Municipal Services Directorate		Minister for Territory and Municipal Services	Planning, Environment and Territory and Municipal Services

Territory and Municipal Services Directorate	Arboretum	Minister for Territory and Municipal Services	Planning, Environment and Territory and Municipal Services
Territory and Municipal Services Directorate	ACTION	Minister for Territory and Municipal Services	Planning, Environment and Territory and Municipal Services
Territory and Municipal Services Directorate	ACT Public Cemeteries Authority	Minister for Territory and Municipal Services	Planning, Environment and Territory and Municipal Services
Territory and Municipal Services Directorate	Animal Welfare Authority	Minister for Territory and Municipal Services	Planning, Environment and Territory and Municipal Services
University of Canberra		Minister for Higher Education	Education, Training and Youth Affairs
Victims of Crime Support Program		Attorney-General	Justice and Community Safety

As members will see from the notice paper, this is the standing referral of annual reports to the relevant standing committees of the Assembly. I commend the motion to members.

MR COE (Ginninderra) (11.03): I move:

Insert the following row into the schedule:

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio/s	Standing Committee
Capital Metro Agency		Minister for Capital Metro	Planning, Environment and Territory and Municipal Services

I move this amendment to Mr Corbell's motion as I believe there is an embarrassing or amateur omission from Minister Corbell's motion, and that is the absence of capital metro in that list. Under the Annual Reports (Government Agencies) Act 2004, the director-general of an administrative unit must, for each financial year, prepare a report, a director-general's annual report, about the operations of the administrative unit during the year.

Capital metro is an administrative unit, as per the Public Sector Management Act, and has been since 1 July 2013. As all administrative units must have a director-general, as per section 13(2) of the Public Sector Management Act, I believe the Capital Metro Agency must be preparing an annual report, and the minister should therefore be including it in the referral.

If it has not been referred, which it has not, then (1) there is no annual report, (2) there is an annual report and it is not being referred, (3) it has been embedded in another director-general's annual report, which I would say is in contradiction to the act, because the director-general must prepare a report, or (4), which I think is likely, they simply forgot.

One way or another, this is an amateur, and I would say embarrassing, episode—yet another in the course of capital metro and Minister Corbell’s management of this portfolio. I hope he supports the amendment.

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

Executive members’ business—precedence

Ordered that executive members’ business be called on.

Planning and Development (Call-in Power) Amendment Bill 2014

Mr Rattenbury, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MR RATTENBURY (Molonglo) (11.06): I move:

That this bill be agreed to in principle.

This is a very short and simple bill that amends the Planning and Development Act 2007 to introduce a new requirement in relation to the use of the planning minister’s call-in power. This bill inserts a new requirement that the minister cannot approve a development application through a call-in decision unless the proponent of the development proposal has met the set requirements for pre-DA community consultation.

Current pre-development application consultation requirements are that the proponent must consult with the community through the use of public meetings, consultation with community councils, letterbox drops or other similar processes. However, this requirement currently only applies to building proposals of three or more storeys, more than 15 dwellings, with a gross floor area over 5,000 square metres, or for a proposal for deconcessionalisation.

My proposal creates an incentive for any proponent who suspects that their proposal may be controversial, or is likely to be called in by the minister, to undertake consultation before they have lodged their plans with ACTPLA. Encouraging this early consultation helps developers understand what the community’s concerns may be before finalising their plans and helps them adjust their proposals accordingly before lodging them.

Since pre-DA consultation became a mandatory requirement for other larger developments in 2011 there has been less community opposition to such developments. The requirements for early consultation became mandatory in the ACT planning system to address concerns the community had with proposals that appeared with very little notice and that they could not influence or respond to sufficiently in a timely manner.

I would like to clarify a few things. Questions have been asked of me in preparing this bill. This bill is not intended to make it easier for ministers to use their call-in powers. It is instead intended to help the community and proponents understand each other's positions to help facilitate better developments, ones that better meet the needs of the community.

It is important to note that the criteria required to initiate the call-in power are still in place, including that the proposal raises a major policy issue, it meets the strategic directions and objectives of the territory plan, and the proposal approval or refusal would provide substantial public benefit.

The Greens are keen that the government continues to keep the use of call-ins to a minimum. However, when they do happen, we want to ensure that the community has had a chance to fully explore what the proposal actually is and that the proponent has had a full opportunity to understand community concerns and adjust the proposal accordingly before lodging their plans with ACTPLA.

Now, one can think of many examples where this could have been beneficial. There are certainly examples where it has been beneficial. If we reflect on an issue that has had some considerable discussion here in the chamber, the proposed solar farm at Uriarra, there is little doubt that if the proponent had undertaken discussions with the Uriarra community prior to locking down his plans we would have seen far less stress for the community and the potential for much better outcomes.

We have a situation at Uriarra where one of the arguments of the proponent in not wanting to change his view is that he has spent a great deal of time, resources and money on things like geotechnical surveys and other required studies under various environmental approval processes. He is reluctant to spend those funds and that time again. That points to the benefit of this kind of early engagement with communities that are affected.

One of the great frustrations from the Uriarra community in that incident was that, had there been an earlier discussion, other options could have been canvassed. The scenario we now find ourselves in may well have been avoided. The emphasis behind this proposal is that I believe—and the Greens have held the view—that these kinds of pre-discussions, when there is still flexibility in the proponent's proposal before resources have been extensively expended on design and other works, will mean there is greater room for change and therefore greater room for incorporation of concerns that may be raised.

Pre-DA consultation requirements were introduced into the Planning and Development Act in 2011, following calls by my former Greens colleague Caroline Le Couteur. In the last Assembly, the ACT Greens worked closely with the ALP government to improve planning issues, and this was one area in particular where I think substantial improvements were made.

Requiring proponents of large developments, particularly in suburban areas, to undertake consultation with the local community in advance of lodging their

proposals is a vast improvement on the previous system, whereby a DA would suddenly appear on the current development proposal list and the community would have a very short time to figure out exactly what the development was, what the impacts would be and whether or not they would be able to make objections of any value—noting that objections of value need to be within the constraints of the territory plan. So every concerned resident suddenly needed a crash course in the complexities of the ACT planning system in order to be heard usefully.

This bill requires pre-DA consultation that enables developers to understand any concerns in the community at an early stage, leaving enough time for them to adjust the development proposal to reduce the negative impacts on the community accordingly.

Sometimes community concerns are very simple and just require an adjustment to parking or where a driveway or a waste collection area is located. Sometimes they are larger concerns about the size or bulk of a development. In any case, giving the developer feedback at an early stage is preferable for both the community and developers. The results of this requirement have been beneficial for all stakeholders—community, developers and government alike.

Four years ago all members of this Assembly were almost drowning in community complaints about development applications, particularly in-fill developments in our older suburbs. There have been quite a few changes to our planning and development system since then, which have alleviated many community concerns, including creating legislative consistency around improved notification of upcoming building work, such as signage on-site; improved consultation with adjoining residents, including extending the notification period; improved regulation around overshadowing and better solar protections; improved regulations around overlooking neighbouring properties; and of course, significantly, this improved requirement for pre-DA consultation that I have spoken of.

I think the MLAs who have been here since the previous Assembly would agree that the level of community concern over development applications has reduced in recent years. Certainly at the time that pre-DA consultation was inserted into the Planning and Development Act there was diverse community support for it and recognition that it should apply more broadly, which is why it now applies to larger buildings and proposals for deconcessionalisation.

The basic intention of this simple legislation I am tabling today is to encourage community consultation by proponents. This proposal is not at all designed to encourage call-ins. On the contrary, it is designed to encourage proponents to hear the concerns of the community and for the community to understand the intent of proponents before either side is locked into an oppositional or intractable position.

I note that back in 2011, in relation to the proposed development at the Jamison Inn site, the ACT Government Architect, Alastair Swayn, publicly stated that the development process should be less adversarial and that if developers made more effort to meet informally with various community stakeholders then planning outcomes would be greatly improved. Although informal meetings are useful, it is

preferable to create a formal requirement through planning legislation. I think the lower rate of complaints to MLAs about development applications is a clear indication of this. The legislation that I am presenting today simply seeks to extend this to provide yet another improvement in the planning process. I commend the bill to the Assembly.

Debate (on motion by **Ms Berry**) adjourned to the next sitting.

Euthanasia—commonwealth limitation

MR RATTENBURY (Molonglo) (11.16): I move:

That this Assembly:

(1) notes the:

- (a) importance that many people in the Territory place on their right to die with dignity;
- (b) ACT is subject to an undemocratic and discriminatory restriction, imposed federally through the Australian Capital Territory (Self-Government) Act 1988, which specifically prevents the Australian Territories from making laws which would permit euthanasia; and
- (c) limitation discriminates against people in the ACT, who do not possess the same rights as people living in Australian States; and

(2) calls on the Speaker to write to the Australian Prime Minister and Minister for Health, requesting on behalf of the ACT Legislative Assembly, that the Australian Parliament repeal the limitation imposed by the Euthanasia Laws Act 1997 and to restore the right of the ACT and other Territories to pass laws on the issue of euthanasia.

Madam Assistant Speaker, the people of the ACT, just like people in broader Australia, believe strongly that they should have the right to make choices over their own life and death. They believe that at the end of their life, at a time that is deeply personal and meaningful and often involves pain and suffering, they should have the right to die with dignity, how and when they choose. To many people there are few choices more important.

It is well known that the Greens support the right of people to make decisions at the end of their life, and we support the creation of a compassionate, safe and workable scheme for voluntary euthanasia. In fact the majority of Australians agree and also support such a scheme. Who wants to suffer at the end of their life, deprived of their dignity and most personal of choices?

But this motion is not about establishing a euthanasia scheme in the ACT. If the ACT were to go down the path of allowing euthanasia, it would of course involve extensive community consultation, input of experts and no doubt vigorous debate in the Assembly. It would involve all of the parliamentary and community engagement mechanisms that are appropriate for such an important change, and governed overall of course by the right of ACT citizens to vote their government in or out.

But, critically, the ACT does not have the right to do this. This Assembly does not have the right to legalise euthanasia, even if it did follow all of the regular democratic and consultative processes. Unlike in the states of Australia, this democratically elected ACT parliament cannot make decisions on euthanasia for the benefit of the citizens who have elected us.

So this motion is about re-establishing the right of the ACT Assembly to legislate on euthanasia if that is what it wanted to do as a democratically elected and competent parliament. It is about recognising that the people in the ACT should have the same rights as anyone else. It asks this Assembly to agree that ACT residents should not be treated as second-class citizens.

The limitation on the ACT's right to legislate on euthanasia is due to a restriction, imposed by the commonwealth in 1997, when the Australian parliament amended the territory's self-government act to specify that it could not make laws on euthanasia. The commonwealth took back part of the legislative powers it had already conferred on the ACT when it granted self-government. Our grant of power allows us to make laws for the peace, order and good government of ACT residents, to look after health, education, prisons, courts and criminal laws, to hold our own elections, and all the other activities that we undertake.

But then there is one clause inserted arbitrarily that says, "You cannot make laws on euthanasia". The rationale for this was purely political. The federal government at the time wished to find a way to prevent the operation of the Northern Territory's newly passed euthanasia act. So, in an ad hoc reaction, it amended the self-government act to say that territories could not legislate on euthanasia. This has remained in place ever since, and the federal government has not moved to remove it. To put it bluntly, I think this restriction is an outrage. It is anti-democratic, and it discriminates against ACT citizens.

Unlike all the other Australian states, the ACT cannot legislate on euthanasia for the benefit of the people living in its jurisdiction and for whom it is democratically elected to govern. People in the ACT are the same as people in any other state and suffer the same as people in any other state. Why cannot this Assembly govern for them on issues that are important? This would be no more or less than the rights currently enjoyed by people living in the states of Australia.

The restriction is also anachronistic, as the ACT has clearly proven it has a competent and effective parliament that should not be subject to arbitrary interference from the commonwealth. Just as Australia was initially established as a colony of Britain, the ACT was originally set up with some restrictions on its power. Since then, the ACT has operated as an autonomous and effective parliament, managing the same portfolios as the states manage, such as health, education and corrections.

And federal parliament has since recognised the ACT's competence and autonomy by removing other restrictions on the ACT's powers. The commonwealth executive can no longer unilaterally overturn legislation enacted by the legislative assemblies of the territories. The ACT Legislative Assembly now also has the power to determine the

size of its Assembly without requiring the passage of commonwealth laws. I was on the committee that looked into that issue. Mr Hanson was on there with me, and I will quote a comment he made. He said:

Interestingly, the vast bulk if not all of the submissions and the people who appeared reflected the view that we are a well-operating Assembly. The majority saw the need for us to be given fewer restrictions and more ability to determine things like our own size ... Based on a discussion of the evidence, I can see no reason why we should not have that power, which is similar to all other parliaments in Australia.

The ACT is not a colony of the commonwealth and it should not be subject to arbitrary government interference, just as our federal government is no longer treated as a colony of Britain and can have confidence that its laws and decisions will not face arbitrary interference from its colonial power. Yet today, sitting there in the self-government act, random and out of place, is this politically motivated restriction that says that the ACT cannot make euthanasia laws. It is time for that to be removed. A step in that process is this Assembly formally raising it with our federal counterparts and telling them that we and the people of the ACT deserve to have that right reinstated.

I do not question the legal authority of the commonwealth government to make a law like this. They can do so using the territories power in the constitution. What I am saying is that it is inappropriate, discriminatory and undemocratic to interfere and retract this law-making power after self-government was granted.

One could compare our situation to the relationship between the federal parliament and Britain. Section 59 of the Australian Constitution, for example, still allows the Queen to “disallow any law within one year from the Governor-General’s assent”. It is convention that prevents the use of this power and this provides certainty and stability to the government, and respects the democratic right of the Australian people. Imagine if the Queen were to use this power and suddenly disallow a law that our democratic and autonomous Australian parliament made.

Having granted independence to Australia, the very strong convention is of course that Britain will not interfere with the Australian parliament and its law making. In the same vein, the commonwealth granted self-government to the territories. It should not now derogate from that grant by revoking or interfering with the legislative power of the territory. This is a view that is fundamental to our Westminster system of government.

Let me emphasise one further fact to the Assembly: euthanasia and the ability of our local parliament to legislate on this issue are very important issues to the people of Canberra. I am sure that all members actually know this fact. No matter what some members in here may say, people in Canberra do not care only about having potholes fixed or grass mowed. To pretend that they do not care about a wider range of issues is to do them a real disservice. We are a Legislative Assembly with responsibility for a range of issues—local ones as well as what we could refer to as state issues. This is not just a local government.

I can pre-empt the argument of the Canberra Liberals who have already stated their view, via Mr Hanson, in the media. Mr Hanson said that we are allowing the euthanasia debate to get in the way of focusing on the current issues affecting Canberrans' daily lives.

Well, actually the euthanasia debate—questions about life and death and people's health and dignity—is an issue that impacts on Canberrans' daily lives in a very profound and meaningful way. You only need to listen to Canberrans talk about the issue. It is frequently raised at health and aged forums. I am sure members have seen the surveys showing 75 to 80 per cent of Australians are in favour of allowing euthanasia.

Mr Hanson also said that the opposition does not believe such a complex social issue should be driven by the Legislative Assembly, and therefore does not support any change to current legislation that restricts the territories from implementing euthanasia. He then argued passionately that our Assembly, the Assembly that he is elected to, should be disempowered and frankly is not very good. He said, "We are a very small jurisdiction, we are not a state, we have the smallest parliament in Australia, we do not have an upper house, there is no governor or administrator and far fewer checks and balances." I did not realise that we had such self-loathing members here in the ACT Legislative Assembly.

I do challenge Mr Hanson and his colleagues to revise that view. It essentially says to the people of the ACT, the people who elected us to this place, that we do not want to be able to make laws on an issue that is of deep importance to them, that we are not good enough and that the Assembly is not worthy or is not capable. In my view, this neglects a duty that we have to represent our constituents, and it is not a view that I can share.

A corollary to the argument, that we are an incompetent Assembly, is the suggestion that, if people in the ACT want there to be euthanasia laws, they should rely on the federal parliament to nationally legislate on the issue. Not only is this inappropriate for all the reasons I have already stated, but there is also uncertainty as to whether the commonwealth even has the power to do this. Section 51 of the commonwealth constitution does not reserve any power to the commonwealth to make laws in relation to health.

So where will this leave ACT residents? It means that potentially there is no opportunity for a euthanasia scheme to be legislated for the ACT, either by the ACT government or the federal government. Other states could legislate this, but not the ACT. An ACT resident would have nothing, no recourse, and no-one they can elect to represent them on this most important of issues. There is a clear discrimination against ACT residents. If this Assembly has the interest and the compassion then we will try to do something about it.

To conclude, I ask members of the Assembly to agree with this motion and request, as a whole and united Assembly, that the federal government repeal the limitation on our law-making powers. It does not mean that you are supporting euthanasia. It means only that you agree that we should be able to follow a democratic process on the issue

of euthanasia, that we are a competent parliament and that residents of the ACT should not be treated as second-class citizens. I commend the motion to the Assembly.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health, Minister for Higher Education and Minister for Regional Development) (11.27): I thank Mr Rattenbury for the motion in the Assembly today. It certainly adds to past statements the government has made about our view that discussions about the end of life need to happen more frequently and freely. We have to set out to create a more open culture where people feel able to talk about death and dying, both in the health profession and across the community.

I also acknowledge Ms Porter's work in this area, particularly the experience she brings from her own personal experience from her time as a nurse and also the work she has done studying issues of dying with dignity, both here and overseas.

Today this issue is really one of territory rights and not of the merits for or against euthanasia. This matter has been raised in the media over the last week as the commonwealth legal and constitutional affairs legislation committee is inquiring into the Medical Services (Dying with Dignity) Bill 2014. On behalf of the ACT government, I made a submission to this inquiry. Minister Rattenbury also made a submission. Our submissions are two of 663 submissions. I think it would be fair to say the views expressed by different peak bodies, medical professionals and individuals are very diverse, as is expected and is known when we deal with the issue of euthanasia and when dying with dignity and all the issues that surround it are raised.

The issue, coming back to this morning's debate, is really one of territory rights. What my submission and this motion draw attention to in this arena is that the ACT and the Northern Territory have been heavily marginalised. While we can discuss euthanasia in this parliament, we are expressly prevented from legislating on it.

Our community, particularly those who have experience either of losing a family member or who are indeed terminally ill themselves, is disempowered because this parliament does not have state rights on this issue. This is not because of a constitutional requirement. It is a hangover from a reactionary commonwealth which 17 years ago used a strategy to prevent euthanasia legislation in the territories. After moving to quash the Northern Territory euthanasia legislation of 1995 the commonwealth amended the ACT self-government act in 1997 to explicitly ban this Assembly passing laws pertaining to euthanasia. Kevin Andrews was the sponsor of the bill. He argued at the time that the Northern Territory legislation was passed by a small territory, with the population of a suburban municipality in Melbourne or Sydney, by one vote, without any house of review. We have heard similar views expressed here over other reforming legislation.

Insofar as the states not having yet passed euthanasia laws is concerned, this strategy has achieved its goal but for us the restriction remains undemocratic and unjust, just as it was when introduced. The commonwealth created a differential democratic right between citizens in the states and citizens in the territories when legislating in this way. Therefore, in my submission to this inquiry I have argued for the repeal of this legislation. This would ensure that all Australians are treated equally before their parliaments when considering legislation around euthanasia or assisted suicide.

Today's motion seeks to build on these representations through a collective vote of the Assembly and at its core it is about territory rights. Our community is no less mature or able to consider euthanasia than any other. Further, as our population ages, far from going away, this issue is most likely to become more acute with a growing number of voices arguing for change.

The euthanasia debate, as with some other social policy debates, seems to be an area where political institutions find it hard to keep in step with community attitudes. News polling conducted in 2012 shows clear evidence that the community wants elected leaders to engage with this issue. Typically, 80 per cent plus of adults support the principle of doctors being able to assist in the death of a terminally ill person suffering intolerable pain, and this level of support is consistent across age groups and political views.

This is the common reaction amongst those who have experienced the death of someone close to them. However sad, this time is made easier if someone is free of pain and if their wishes are known and able to be carried out. It is the prevailing sentiment across Australia and, I believe, in the Canberra community. Whilst it does not translate into straightforward legislation, it should be able to be picked up and discussed openly by governments. We should have debates in this place which can then be translated into legislation that our community supports and understands.

Every time I get a letter from somebody, usually in the weeks following the death of a loved one, who is seeking some engagement by the ACT on this issue I have to write back to those individuals and say, "I am sorry. Because of the legislation that remains in place in the commonwealth the ACT is not allowed to progress this issue within our legislative ability or capability." It is a very difficult letter to write. It seems a very heartless response to what are very emotional letters written in desperation after just witnessing the often traumatic death of loved ones.

We would all like to believe that when someone dies, particularly from a terminal illness, their pain is able to be managed and their death is as peaceful as possible. For the large part, many people dying from a terminal illness are able to be managed in that way but let us not pretend that it is that way for everybody, particularly those who have strong views about how their life should end and how traumatic that is for both them as an individual and for their family.

When responding to those letters that I get—and I read every one of them and I reply—there is no easy way of telling those residents of Canberra that because of commonwealth legislation we are unable to even look at legislation that might address some of the issues for those individuals. And it puts us in stark contrast to a letter, I imagine, that could be written by a member of parliament in New South Wales to someone who lives in Queanbeyan and who raised the same issues with their state parliament on options for improving access or improving an individual's dignity around their death or their loved one's death. It is something I feel very strongly about in terms of our ability to even debate legislation in this place.

The trickier issue for all members here is—and it is certainly a conscience vote for members of the Labor Party—if you were allowed, what you would do with any

proposed legislation and how you would vote. But the fact is that our response to our constituents at the moment is one of putting a hand up, almost shrugging and saying, “I am sorry but we are not allowed to discuss this type of legislation in this parliament.” We can do a whole range of other things that are important to members of the community, but on that one issue, for which there are strong and diverse community views, we are not allowed to debate it. I think that is something on which, with the Assembly in its 25th year, we have demonstrated to the commonwealth that we are a mature parliament, that we do use our legislative powers carefully and responsibly, that we are responsive to the needs of our local community and that we should not be treated any differently to any other Australian living in any other jurisdiction. The territories should be treated the same.

The legislation that overrides or disallows us discussing this matter should be overturned. The Senate process allowed us the opportunity to put those submissions forward, and I think this motion today, if passed, will send a strong message to the commonwealth that they should consider removing that power and allow territory citizens to be treated the same way as citizens in other jurisdictions across the country.

We are doing a lot of work in relation to how we can improve our palliative care services and ensure that people are able to die with dignity. Whilst euthanasia and assisted suicide form a component of any discussion that you would have around that, there are a whole range of other ways that we can ensure that people are treated respectfully towards the end of their life, that their wishes are respected both by the medical community and their family. And that work will continue.

But in the meantime we have this gag order in place on the Assembly and I think it is time that that be reviewed and time that that was changed. The government will be supporting Mr Rattenbury’s motion this morning.

MR HANSON (Molonglo—Leader of the Opposition) (11.37): I thank Mr Corbell for giving me the call. What I want to do—it might sound a little odd; I will explain as I go on—is congratulate Mr Rattenbury on at least being honest. He is not trying to pretend anything other than that this is a drive to get euthanasia into the ACT. From his speech, from his actions and from his comments in the media there is no question that that is what Mr Rattenbury wants to achieve. Whether you agree with that or do not agree with that, I do not think there is much pretence about Mr Rattenbury’s position.

However, I do not think the same can be said of the Chief Minister. It is quite clear what this agenda is. It is quite clear what is trying to be achieved here, which is to try to get euthanasia into the ACT, and it is quite disingenuous for the minister to try to hide behind the pretence that this is really about territory rights. We know what this is about, and we know it because it is Mr Rattenbury’s motion, and he has made it abundantly clear.

It is clear, Madam Assistant Speaker, that the Greens do want euthanasia. Argue for it or argue against it; that is the agenda. They have tried it in other jurisdictions and they have failed. Recently they tried it in New South Wales. It still remains a policy for the Greens. You can look at their website, updated in May 2014. The Greens New South Wales—and this is a consistent position that they have—believe:

Voluntary euthanasia is a fundamental human right and that individuals should have the freedom to make self-governing choices;

Individuals have a right to choose to die with dignity ...

Voluntary euthanasia is important ...

What has happened is that the Greens have tried to get euthanasia into other jurisdictions. The last time that was attempted was last year in the New South Wales parliament, and it was voted down. As I understand it, the Greens tried to put in euthanasia as a federal law too, and get essentially a constitutional change. That was something they discussed at the last federal election.

The Greens now see an opportunity essentially to have the ACT as their gateway to get this in, because this has not been accepted in New South Wales and it has not been accepted by any other jurisdiction. I think it is naive of us to think that we in the ACT should have separate laws to New South Wales, which has so recently rejected a piece of law like this. We are a small island within the state of New South Wales, and it does not take much imagination to understand the consequences of us having a law like euthanasia enacted in the ACT when it is illegal in New South Wales and in every other jurisdiction, and having regard to what that will mean in terms of social implications, not just broadly across Australia but also within the ACT, in that it would essentially become the death capital of Australia.

We know that we cannot legislate in the ACT; this has been made pretty clear. Although it was a private member's bill that introduced this restriction, in response to the Northern Territory legislation, let us be very clear that it was not just one person that enacted this. This was an act of the federal parliament. It was passed both in the lower house and in the Senate. So although there was some sort of derisory sneer and comment made against Kevin Andrews, this was voted on in the federal parliament, and many of those members, I am sure, who voted to support that bill came from the ALP. So this is not about one member; this is about the view of our federal parliament.

It has been attempted on a number of occasions since to change those laws. Bob Brown introduced a bill in 2008 and he reintroduced essentially the same bill in late 2010. So this is not a new debate. This has been going on for a significant period. Most recently it arose out of the review that was conducted here by the admin and procedure committee into the self-government act. That occurred at the end of the last Assembly.

As Mr Rattenbury mentioned, both he and I were on that committee. Although we agreed on a number of issues, this was one on which we disagreed. I do not think he read out my full dissenting comments, and I will refer to them here in relation to this aspect of the legislation. If you go to the report, Madam Assistant Speaker, you will find at appendix B additional comments from me, and I will quote from them. Recommendation 5, which related to the repeal of sections 23(1A) and 23(1B), stated:

It is appropriate that some restrictions be placed on the ability of the ACT Assembly to pass legislation that would have significant consequences for all Australians.

The Legislative Assembly for the ACT has relatively few checks and balances on it and represents the smallest number of Australian citizens. The Assembly is small relative to other parliaments around Australia and legislation can be passed with a simple majority of nine members. There is no upper house, Governor or Administrator to apply an additional level of scrutiny on bills. There is limited committee scrutiny of bills especially relative to other Commonwealth jurisdictions. Past and current experience of the Legislative Assembly is that there is often a very short period between introduction and passage of a bill.

I made the following point:

The matters prescribed in section 23(1A) and 23(1B) are issues that would have significant consequences for all Australians if the current legislative position was changed. It is not appropriate that they be considered by the ACT Legislative Assembly.

That is not just my view; that is the current view of the federal parliament. That is the current view of members across that parliament who have had a number of occasions to form a decision about that. Liberal, Labor and, I am sure, independent members of the federal parliament have consistently agreed with that view.

It is probably because, in a parliament where we have, in this case, eight members on one side from the Labor Party, eight from the other and essentially one Green having the balance of power, they do not think that one Green member in the ACT should be making the decision on an issue like this that has consequences for over 20 million other Australians and that it is appropriate that there are some checks and balances on the ACT.

With regard to this issue, although I do not think it should be occurring as a debate in the ACT for the reasons I have outlined, this is a conscience issue within the Liberal Party. I do want to make that very clear. I want to separate those two issues. It is similar to the same-sex marriage debate; there are different views within the Liberal Party on these issues.

Members interjecting—

MR HANSON: I hear interjections from the other side. There was a view from the High Court in that case that it was appropriate that the ACT not make marriage laws, and it is the view in this case from the federal parliament that the ACT not make euthanasia laws. So we are going through this merry dance again.

I make it very clear that should this motion be passed today—and it appears that it will—if it does lead to a letter being written to the federal parliament by the Chief Minister, and if the federal parliament were then to make the decision essentially to amend the self-government act to allow this place to debate euthanasia, and if a bill came before this place, Liberal members of this place would have a conscience vote on that issue. I do not think that will come to pass, based on the precedent of the federal parliament, but if that should come to pass, that would be the case.

As I said, this has been something we have looked at on a number of occasions. Although I said this was debated in 2010 in the federal parliament, it has also been considered by the federal parliament more recently. Arising from the admin and procedure committee, the then Speaker, Mr Rattenbury, wrote to both the Prime Minister and Minister Crean, the minister responsible at the time for local government, and said, "Here's our committee report. Have a go at this. Have a look at this." The Prime Minister had a copy of the report, looked at the report and wrote to Simon Crean, who had said, "Look, there's some of this that we should be implementing," and she said specifically, "Implement your proposal and take into account the other recommendations of the Assembly."

The Labor Prime Minister, Julia Gillard, and the Labor minister, Simon Crean, were fully aware of what this Assembly had said. They had read the committee report; they had written to each other about it. They said, "Give some thought to this." Essentially, "Take into account these other recommendations. Bring it on if you want to." Did that occur? No. So as recently as late 2012, under the Gillard Labor government, they had been thinking about this issue, and clearly, by virtue of the fact that Simon Crean did not bring on this issue, they decided, "No, we don't agree. We're not going to support that. We don't think that is the right way to go."

We will not be supporting this motion today, for the reasons I have outlined. The minister, or Mr Rattenbury as he is in this guise, made the point, "We can walk and chew gum. We can do both. This is a matter of priorities." But I reflect on, just this week, the priorities we have seen from those opposite as opposed to the priorities we have seen from the opposition.

We have seen from the opposition questions and motions focusing on issues like our hospital system—a hospital that is clearly in crisis. We saw only yesterday the director-general saying, "Unless your life or limbs are at risk, don't come here." They are the issues we are focusing on. With respect to nurses being assaulted, we saw a number of nurses here yesterday, and we had the motion moved by Mrs Jones about nurses who are in fear of their own safety.

We had a motion from Mr Doszpot about the education system. Schools are at capacity—schools that are in the same areas where this government closed schools—and infrastructure in those schools that is less than adequate. There was a debate put forward by Mr Coe about the state of our city centre, about the decaying nature of our city centre, the lack of vibrancy in our city centre. From Mr Smyth we heard about the state of our tourism sector—so important for jobs, for employment, for the economic development of this town.

We are seeing from those opposite debates about euthanasia, about renewables and about light rail. I think people can form their own judgement. They need to make a decision. Do they want a government focused on renewables, light rail and euthanasia? That is what this mob talk about all the time. That is the only time you will get any passion from this lot opposite. Or do you want a political party or a government that is focused on health, on education, on the state of our city, on employment and on the safety of the government's workforce, and in particular nurses?

That is what you are seeing here today—a government that is distracted. Instead of having a minister focused on ACTION’s network 14, on his responsibilities as a minister, on making sure that there is a safe environment in the jail or a safe environment in our hospitals, we have a government that is distracted by its pet ideological projects. That is what we see again and again, and that is what we are seeing again today.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (11.52): I move the amendment circulated in my name:

In paragraph (2), omit “pass”, substitute “consider”.

I am moving this amendment today to reflect the fact that this debate is not about whether or not the territory should have euthanasia; it is about whether or not this parliament, this Assembly, is allowed to debate and consider a law called euthanasia. That is what it is about, and my amendment makes clear that that is what we are debating today.

It is an archaic and absurd proposition to say that this Assembly should not be allowed to debate these questions which are of significant interest to many people in our community. Ask anybody who has seen a relative, loved one or friend die as a result of a wasting and terrible illness like cancer and you will evoke strong reactions in both directions. Some will argue passionately about the need to provide for a person in those circumstances to bring their life to an end in a safe, dignified and calm way. Others will argue that that is the nature of life and the passage of life includes that journey and passage through death, which can only be ameliorated to a certain extent through medical technology.

This is not a new debate for our Assembly. When I first joined this Assembly as a new member in 1997, the Assembly was convulsed by a debate then about euthanasia. The then independent member, Mr Moore, had a bill before this Assembly to provide for a form of euthanasia, and the Assembly was on the verge of voting on that legislation. It had been a detailed and lengthy consideration. It had involved a series of committee investigations into Mr Moore’s bill and a large number of public submissions on the question, which reflected the strong level of community interest in the issue.

This Assembly was denied the opportunity to consider whether or not to enact that bill because of the rushed passage of the bill proposed as a private member’s bill by a member of the federal parliament, Kevin Andrews. It removed the capacity for this Assembly to decide on the question. There is simply no legitimate argument to say that in a modern democracy, a democratically elected parliament like the ACT’s is somehow not sufficiently comprised, established or legitimate to consider a question such as euthanasia when exactly the same parliaments in New South Wales, Queensland, Western Australia, South Australia, Tasmania or Victoria can.

What is different about those parliaments? Some are bicameral; some are not. Queensland has a single-chamber parliament. You do not hear Mr Hanson arguing that Queensland should not be able to enact a euthanasia law if it wants. It is just a stupid argument.

You then have the claim, “There’s no check on the government.” Since when does the Crown determine what laws are made by parliaments? That is an absurd argument as well. Since when has a governor or a governor-general ever said, “I’m not going to assent to a law made by a duly democratically elected legislature”? There is a reason why it is called the governor-in-council. It is in council; that is, the Crown acts on the advice of its ministers, and those ministers reflect the decisions made by the legislature. So it is an absurd argument as well to suggest that there is some lack of check or balance.

I do not think it is in any way a foregone conclusion that this Assembly would enact a law for euthanasia. I do not think it is a foregone conclusion at all. The questions are complex and difficult. My own personal views have mellowed significantly since the comments I made in the last euthanasia debate that this Assembly was allowed to undertake back in 1997. Whilst I have enormous sympathy for the importance of considering this question, I remain to be convinced about whether or not you could construct a legislative scheme that would provide the appropriate protections needed for vulnerable people.

I am particularly concerned about what it would mean for vulnerable people—the elderly, people with a disability and others—who can be taken advantage of. We know that elder abuse is common in our community, and the law would have to be very strong and very clear to protect against cases of abuse. So I am yet to be convinced about whether or not such a law could be constructed.

But I think this Assembly should be entitled to test those questions. I think this Assembly has a responsibility to consider those questions. I do not accept that simply because of our status as a territory we should be unable to consider them.

That is the purpose of Mr Rattenbury’s motion today. It reasserts that as an Assembly, regardless of our individual views on the question of euthanasia, we assert that first of all it is an issue of legitimate interest to many people in our community, and it will continue to grow as an issue of interest as we face an ever-ageing population.

Also, it says: why should this Assembly, this legislature, be treated differently from others? It is not a question of checks or balances and it is not a question of our relative size; it is a question about whether or not the grant of self-government is meaningful. The grant of self-government says that this Assembly is empowered with all the plenary powers required for the peace, order and good government of the Australian Capital Territory, and that extends to this question.

We do not hear this argument about inadequate checks and balances when this Assembly decides how long someone can be sent to jail for or whether or not a person with mental illness can be detained against their will. There is no argument about insufficient checks and balances then. So why is there on this question? It simply does not make sense.

I urge members to support the motion. It is not asking you to commit on the question of euthanasia. It is not asking you to declare your position one way or the other, but it is asking you to say that this Assembly is entitled to determine its own will and enact and implement its responsibilities to reflect the views of the community that we are here to serve. I commend the amendment and the motion to members.

MR HANSON (Molonglo—Leader of the Opposition) (12.01): The opposition will support the amendment, which is minor. I would not say it is technical, though, because the minister has rightly identified the fact that, should it come to pass that these laws be debated in the Assembly, they would be considered and not necessarily passed. I acknowledge the minister's view that there are a range of issues, a range of views, that should these laws come to be debated here, they will not be necessarily passed. That is, and I would like to reiterate those points, there is a variety of views in this place when it comes to these laws and I would not seek to change anyone's views on that. These are difficult and complex issues. There are those in favour; there are those against, for a variety of reasons. That is fine. That should not be conflated as being essentially the reason that we are opposed to this motion. I have outlined very clearly why we do oppose this legislation.

Interestingly, I think the minister and I probably have a reasonably similar opposition when it comes to this. I would say that I would not support a bill if it were to be brought to this place. I would be very open about my position. I have nothing to hide. These are very vexed questions for people. There have been identified a number of reasons that would lead to my opposition to such a bill, including protections for particularly vulnerable people, people who are elderly in particular, and simply the complexity and difficulty of enacting such a law.

That does not diminish the view that I am sure all of us would have in this place, across the divide, whether we support these sort of laws or not—a great sympathy and a great desire to do everything that we can for those who are in pain, who are suffering, who are facing complicated end-of-life issues. I think that we would all share in the view that we should do what we can to support that, up to the point of whether we would support a euthanasia bill.

So we will be supporting the amendment, which better reflects the approach of this Assembly.

I would make the point further, Madam Speaker, that if it does come to pass that you write to the Prime Minister, you should reflect, if you would, Madam Speaker, that there was not a unanimous view in this place, that this was an issue that was close. Perhaps you could outline the closeness of the vote in the debate when it comes to pass.

MADAM SPEAKER: Could I just call on the manager of government business to move a procedural motion.

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

That the time allotted to Executive Members' business be extended by 30 minutes.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Health, Minister for Higher Education and Minister for Regional Development) (12.05): I want to talk briefly on the amendment and on the response from Mr Hanson where he is seeking that, in any letter to the commonwealth, an indication be given of the vote. I think it would be more than reasonable to put in writing that opposition members did not support the Canberra community being treated equally with constituents in other jurisdictions. That is the actual debate we are having today—whether or not this legislature should have the ability to discuss, debate and pass this legislation relating to euthanasia in this legislature, just as other state legislatures are able to. If that is what Mr Hanson would like, I would draw special attention to the fact that the Canberra Liberals would not stand up for Canberrans being treated fairly with other Australians around the country. I would be more than happy to do so.

In terms of responding to Mr Hanson's earlier speech, I think we in this place are used to having a whole range of accusations and allegations raised against us. I think the one in this speech was that I was disingenuous in saying that this was a territory rights matter. I cannot sit here and just accept that allegation without responding to it. This very much is a territory rights matter. The issue of whether or not euthanasia legislation came to this parliament, if we were allowed to, and the matter would be debated, is not a foregone conclusion by any means.

I do not think that my supporting this motion should be read in any way as indicating that I would support euthanasia legislation should it come to this parliament.

MR RATTENBURY (Molonglo) (12.07): Just very briefly, I would like to indicate my support for Mr Corbell's amendment. Hopefully, members took from both the tenor and the content of my speech that I did not seek to presuppose the issue; I certainly had not read the text that way. Mr Corbell raises this; I am very comfortable with that amendment—that it more accurately reflects the discussion I believe we are having.

Amendment agreed to.

MR RATTENBURY (Molonglo) (12.07): Just to close the debate, I thank members for the discussion today. I welcome the comments from both the Chief Minister and Mr Corbell, which I thought were both supportive of the motion and also reflective of some very thoughtful comments about what is a difficult issue.

In Mr Hanson's remarks, I think he was accurately reflecting that. The Greens have made no secret about our position; I was very up-front about it. I do think, nonetheless, that the two issues are separate. Clearly, there is a tactical advantage, for those who oppose euthanasia, in maintaining this power, but I actually think that is a different issue.

Mr Corbell's comment that it would not be a foregone conclusion if the issue were to be debated in the Assembly is a very interesting contribution to the debate. I had already been thinking about the fact that no doubt there are differing views. Mr Hanson talked about the fact that this had been debated in other jurisdictions, and it certainly has. It has been debated in New South Wales, as he mentioned, but also in South Australia and Tasmania in recent times.

What we have seen in those jurisdictions is that the views on the matter of euthanasia vary very strongly—across party lines, but within party groupings as well. And as this is invariably a conscience vote across parliaments, we see very interesting views expressed across political lines. I make no presumption about that either, and I suspect that if we were regranted this power, we would have a very long discussion both with the community and within this place—appropriately so, as I said in my first remarks.

I also think it is important that we discuss these matters. As I said, residents of the ACT have a range of issues that they are interested in. The nature of this town is that many people are not even at all interested in the ACT Assembly; they are much more focused on federal issues. That is because that is the work they do, and that is what seems to captivate their attention. I can comfortably assure Mr Hanson and his colleagues that I am quite focused on matters such as network 14 and the coming bushfire season. These are the matters that I work on most of the time most days. But I am also quite focused on the fact that there are other matters that are of concern to our constituents, and there are other matters that people raise with me. I do my best to represent all of the issues that the many constituents out there raise, including people who do not vote Green, who approach me consistently about issues that are of concern to them. I do my best to deliver on a range of those issues.

As I said in my introductory remarks, today's motion is about allowing the ACT Legislative Assembly to be able to discuss this matter. There are differing views on the matter. We touched on that to some extent today. There is no doubt that if we were to have this discussion, as I think we should, it would be a complicated, difficult and passionate discussion. But the point is that we should be able to have it. It is discriminatory for the ACT not to be able to have that conversation, compared to our colleagues just across the border or people who live in Queensland, South Australia or Western Australia. They are entitled to have their parliamentarians debate this matter and form a view on it, as some of them have done.

I thank those members who are going to support the motion today. I think it is appropriate that we continue to agitate with the commonwealth that they should remove this discriminatory provision. I hope that we can. We have seen a number of other places where the ACT has been regranted powers, or granted powers for the first time. I hope that, as this institution has matured and there is a recognition of its competency, we are restored these powers, and that somewhere down the line a member of this place or a future member of this place will have the freedom to bring the matter before the Assembly and test the views of what will be the 25 members of this place as to the future of this issue within the territory.

I commend the motion to the Assembly.

Question put:

That the motion, as amended, be agreed to.

The Assembly voted—

Ayes 7

Noes 6

Mr Barr
Ms Berry
Ms Burch
Mr Corbell

Ms Gallagher
Mr Gentleman
Mr Rattenbury

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson

Ms Lawder
Mr Smyth

Question so resolved in the affirmative.

Travel report—Parliament of Kiribati

MS LAWDER (Brindabella), by leave: I present the following paper:

Travel Report—Twinning Arrangement—Visit to Parliament of Kiribati—Mr Wall MLA, Ms Lawder MLA and Ms Rafferty—24 to 28 August 2014, including associated documentation.

This is a report on a recent visit to the parliament of Kiribati by me, Mr Wall and Ms Rafferty. Members may recall that Ms Porter was originally participating in the visit; however, when she was unable to continue with her travel plans, I joined the travel delegation in her place.

Members would be aware that the ACT Assembly has a twinned arrangement with the parliament of Kiribati to foster cooperation between developed and developing branches of the CPA. The Kiribati parliamentary system is a blend of both the British and American systems. A president is elected nationally. Members of the cabinet are appointed by the President from the members of parliament. The Speaker, who is not a member of parliament, is elected by the members, and the Speaker has neither an original nor a casting vote in parliamentary decisions. Parliament is called Maneaba ni Maungatabu, with 44 elected members, making it a 46-member unicameral parliament.

I would like to thank the various members of the Office of the Legislative Assembly who assisted with making travel arrangements, including facilitating meetings and visits. Our thanks also go to the Speaker, President, Clerk, Deputy Clerk and other members of the Kiribati parliament and their staff.

We had a busy and informative schedule, including discussions with the Australian High Commissioner, George Fraser, DFAT program staff, including Mr Michael Hunt, and the Director of Tourism; a visit to Betio prison; a reception held by the President to welcome the British High Commissioner, Mr Roderick Drummond, and also to welcome Ms Osnat Lubrani, UNRC; a visit to the Marine Training Centre; discussions with the minister for women and social affairs; a visit to a disability site, Nanikai village; a meeting with the director of agriculture and a visit to the agriculture

centre; a meeting with the general manager of the Kiribati Housing Corporation; lunch with the chairman and members of the climate change committee; a meeting with team members of the medical service, focusing on maternal and child health; and, finally, discussions with the Speaker, Clerk and Deputy Clerk, where we identified a number of areas to follow up, which are documented in the report.

Once again, many thanks to those in the OLA, including, but not limited to, the Clerk, who assisted with the planning of the visit. Thank you to Dr Cullen, Queanbeyan Football Club and Capital Football for sporting equipment that was donated to local schools. And thanks once again to Ms Rafferty for all her assistance, guidance and excellent driving and navigating. It was a fascinating insight into the Kiribati parliament, nation and people, and I will look forward to hearing about future cooperation and exchange of ideas.

MR WALL (Brindabella) (12:19), by leave: I would like to add my thanks and appreciation for all the help and assistance and to those who have spared their time to meet with Ms Lawder, me and Janice Rafferty from the Clerk's office whilst we were on our trip to Kiribati, with particular thanks to President Tong, for his kind hospitality; to Speaker Iuta, for the time that he spent with us, for access to his parliament and for the assistance that he allowed his staff to provide us, particularly the Deputy Clerk; and to the ministers and members that met with us whilst we were over there on our trip. Also, particular thanks go to the heads of department that we met whilst we were over there. Again, a warm thank you should be extended to the Australian High Commissioner over there and the staff within his office.

Whilst it often seems likely that such trips will not necessarily make a substantial difference, the twinning arrangement that this parliament has with the Republic of Kiribati parliament is an important one, particularly as they are an emerging democracy and a relatively close neighbour—if not geographically, certainly within our minds.

Many of the challenges that Kiribati faces do not differ, as far as topic is concerned, from what we discuss here in this parliament regularly, such as employment, the need to diversify our economies and the need to ensure that social services are maintained. But the scope and breadth of the issues are far vaster over there, given that their economy has a very narrow base and employment is only at 20 per cent—and I think that about 12 per cent of those that are employed are in government employment. So the need to develop and establish new industries is certainly a challenge.

The United Nations measure places gross domestic product, GDP, of a citizen of Kiribati at about \$1,000 per head. That compares with \$57,000 for an Australian citizen. It shows that the depth of their economy is the basis of a lot of the challenges that they have.

One of the main issues that was raised with us whilst we were on our trip was the need to assist in establishing and maintaining some expertise amongst their committee systems. They expressed the need for a more regional approach, particularly with their public accounts committee. It is an issue that I have already raised with you, Madam Speaker—a suggestion was that perhaps there could be consideration of the Australian

public accounts committee association inviting the regional parliaments, whether on a biannual basis or intermittently, to attend national meetings, to help at a more local level to establish and instil good parliamentary committee procedures within Kiribati. That would be a step that would not just potentially help their members of parliament gain the experience that is required but also save the parliament over there some substantial cost of having to send their three PAC members over to Westminster every second year for what is a lengthy journey and, one would imagine, a very expensive one.

I would like to again pass on my thanks to Janice for much of the work that she did in organising the trip, chaperoning us and making sure that we did not get lost or come into any bad situations. It was a very interesting and fulfilling trip that I think all who travelled appreciated.

Sitting suspended from 12.23 to 2.30 pm.

Questions without notice

Canberra Hospital—bed occupancy rates

MR HANSON: My question is to the Minister for Health. On 1 September 2014 the clinical director of the emergency department at the Canberra Hospital, Dr Michael Hall, said current patient numbers are “unsafe” and “unsustainable”. When referring to bed occupancy rates, he said that 95 per cent is unsafe as it increases time in hospital, it increases costs, it increases complications and in fact it increases mortality. On 11 September 2014 the executive director of the Canberra Hospital emergency department wrote in an email to staff that the hospital was frequently operating at levels over 95 per cent and said some of the strategies that they had employed “might be viewed as less than perfect solutions for the emergency department and the broader hospital”. Minister, yesterday Dr Brown, the Director-General of Health, took the extraordinary step of issuing a media release urging Canberrans not to use the emergency department. She said: “ACT Health is encouraging people with non life or limb threatening injuries to use alternative services.” Minister, after 13 years of Labor government and eight years with you as health minister, why is the Canberra Hospital facing this crisis?

MS GALLAGHER: The Canberra Hospital is not facing a crisis, as Mr Hanson continues to argue and tries to encourage concern about across the community. In terms of the information that went out yesterday—

Mr Hanson interjecting—

MADAM SPEAKER: Order, Mr Hanson! You have asked the question.

MS GALLAGHER: it was not an extraordinary step. It is a step that is taken more than twice a year, from my memory, at times when the hospital gets this busy. A standard media release is issued to remind people that there are other options to the emergency department and to treat the emergency department as being for emergencies. You will find that this is a step that is used in every single other jurisdiction across Australia when pressure gets tight in hospitals. In fact I saw in the

last week or so there were five or six hospitals in Victoria that have refused to accept patients by ambulance, because they are busy. That is why hospitals have operational plans, in order to manage pressure when pressure comes.

In terms of the hospital, it is very busy at Canberra Hospital. It is not as busy at Calvary hospital. So that is interesting. People are travelling right across Canberra to Canberra Hospital to be seen, and that is something that we need to continue to work on with Calvary to help take some of the pressure off Canberra Hospital. But it is interesting to note that when Labor came to government there were 670 beds in our public hospital system. There are now 1,048 beds in the hospital system. It has grown at a much faster rate than population growth, and we will continue to grow the bed numbers, and continue to focus on all the changes that need to happen across the hospital to ensure that at times of peak pressure the hospital can manage and at other times that the hospital resources are used efficiently.

MR HANSON: Minister, has the data doctoring scandal of 2012 contributed to this crisis?

MS GALLAGHER: As Mr Hanson knows, it has had absolutely nothing to do with the bed pressure or the activity pressure that is being experienced at Canberra Hospital. There is no crisis, despite Mr Hanson's claim.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Minister, do you accept responsibility for the current situation at the Canberra Hospital, of the director-general urging Canberrans to use alternative services?

MS GALLAGHER: Absolutely I do. In fact, Dr Brown and I discussed, and discuss on a weekly basis, the steps that need to be taken to manage the hospital when there are times of acute pressure. Those plans—those operational plans, all of the protocols that are in place—have worked very efficiently this week to take pressure off in certain areas of the hospital when that pressure has become too great.

This is a highly coordinated and planned response to levels of activity that cannot be predicted. It goes to the credit of all who work in the hospital, and all of those behind the scenes that do all the planning and kick those plans into operation when they come, that they are all working as efficiently and effectively as they can.

I will say that we will continue to work with the north-side hospital, Calvary hospital, because they are not experiencing the pressure that Canberra Hospital is under. But people do travel to Canberra Hospital to get treated, and that is something that we need to manage—and encourage people on the north side of Canberra to use the north-side hospital.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, what effect will the walk-in centres have on this hospital pressure?

MS GALLAGHER: I thank Dr Bourke for the question. The interesting thing is that both of the walk-in centres combined are now seeing more patients than they have ever seen on the hospital grounds. In particular, Tuggeranong is being highly utilised by the local community, seeing more than 70 patients a day pretty much since the day it opened. We are very pleased with that. At the moment, though, it is not having any relieving of pressure from the Canberra Hospitals.

Presentations at Calvary were reasonably high in July, up in August and are somewhat down in September. So perhaps the Belconnen walk-in centre is taking some pressure off that emergency department, but time will tell. At this point in time they are certainly being well used by the community, which ticks off the main driver of opening that service. But in terms of relieving pressure off the ED, those presentations continue to grow at Canberra Hospital.

Transport—light rail

MR COE: My question is to the Minister for Capital Metro. Minister, does the \$783 million price tag for light rail include the \$33.9 million which has been provided to the Capital Metro Agency since 2011-12?

MR CORBELL: No, it does not.

MR COE: Minister, is the \$9.8 million budgeted for staff costs at the Capital Metro Agency until 2018 included in the \$783 million cost estimate?

MR CORBELL: Could I ask the member to repeat the question?

Mr Coe: The question was: minister, is the \$9.8 million budgeted for staff costs at the Capital Metro Agency until 2018 included in the \$783 million cost estimate?

MR CORBELL: No, it is not. To be very clear, the capital delivery cost figure that the government released on Monday, which was \$610 million plus a \$173 million contingency, is the capital delivery cost for the construction of the project. It is not the costs associated with the day-to-day running of the Capital Metro Agency.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, was the cost of producing promotional items such as foam trains, drink bottles and videos included in the \$783 million cost estimate?

MR CORBELL: No, it was not, and the government has never said otherwise.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, does the \$783 million cost estimate include provision for an average cost blowout of 4.3 per cent as stipulated in the government's partnership framework?

MR CORBELL: The business case is consistent with the partnerships framework.

ACT Ambulance Service—uniforms

MR SMYTH: My question is for the minister for emergency services. Minister, is it true that almost six years after the procurement process began for new uniforms for the ACT Ambulance Service the said new uniforms have not been issued to members of the ACT Ambulance Service?

MR CORBELL: I thank Mr Smyth for the question. Regrettably, we have had some problems with procurement of uniforms for the ACT Ambulance Service. The reason for this is that a number of the successful tenderers have gone into liquidation, and another of the tenderers has not met their obligations under the tender. Therefore, new tenderers have had to be selected. These circumstances are beyond the government's control but we have acted appropriately to rectify the situation once these circumstances have come to the government's attention.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Minister, is it true that when trialling a preferred uniform, officers had a nervous reaction to the chosen uniform?

MR CORBELL: Mr Smyth alludes to the matter I was addressing in my previous answer, which is that one of the tenderers supplied uniform equipment which did not meet the prescribed standards set out in the tender. In particular, one of the pieces of uniform did result in a low-level allergic reaction or skin irritation when it was worn, for some officers. As a result, the tenderer has been advised that the equipment, the uniform, does not meet the standards set out in the tender that was awarded to them and that those issues have to be rectified by the supplier, at their own cost, not at the government's cost.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, when will members of the ACT Ambulance Service receive their new uniforms?

MR CORBELL: The government is working closely in consultation with the ambulance officers, the Ambulance Service and the union that represents ambulance officers to see that the situation is rectified as promptly as possible. I met with the ambulance union today, the office of the union that represents ambulance officers. We discussed this matter and they indicated to me their satisfaction with the way the government was responding to these circumstances, which are, as I said earlier, circumstances that are beyond the control of the government. Where there is a failure on the part of tenderers to meet their obligations under the tender awarded to them, appropriate steps are taken, as they have been taken in this case.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, why have you ignored your responsibilities as minister for emergency services? Is it due to your preoccupation with capital metro?

MR CORBELL: I have not.

Construction industry—drug and alcohol testing

MR WALL: My question is to the minister for industrial relations. Minister, there has been considerable research and data collected over the years to suggest that drugs and alcohol are a significant problem in the workplace, and particularly in high risk industries such as the building and construction industry. Minister, is random drug and alcohol testing allowed on ACT building and construction sites?

MR GENTLEMAN: I thank Mr Wall for his question. I have been involved previously with drug testing in workplaces, especially around areas such as concrete trucks in the ACT, and helping to introduce those safety measures into the workplace. I have not had any discussions with union members or builders in the ACT on testing in the workplace at this stage.

MR WALL: Minister, what did the *Getting home safely* report say on the issue of random drug and alcohol testing in the building and construction industry? Perhaps you would like to answer the first question again, which was: is it currently permissible on construction sites?

MR GENTLEMAN: Yes, the *Getting home safely* report talked about drug testing on building sites and the possibility for that to go through, but I have not done any further work and I do not have that information in front of me. I am happy to take that on notice and come back to you.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what information does the government collect concerning the use of drugs and alcohol within the construction industry in the ACT?

MR GENTLEMAN: I do not have that information in front of me either at this time. I am aware, though, in relation to your previous question, Mr Wall, that the government did not support the testing of drug and alcohol for workplaces.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, does the government support random drug and alcohol testing on building sites to improve safety?

MR GENTLEMAN: I thank Mr Smyth for his further question. I have not had any discussions with my colleagues about support for drug testing in the workplace. That will come forward as we work further through the *Getting home safely* report.

Transport—planning

DR BOURKE: My question is to the Minister for Planning, the minister responsible for active travel. Minister, can you please update the Assembly on the transport for Canberra plan and how progress is being reported.

MR GENTLEMAN: I thank Dr Bourke for his interest in the vision for transport over our next 20 years. The transport for Canberra plan does set out that vision for transport planning to manage and respond to the city's growth. The transport for Canberra plan outlines the government's actions on public transport, parking, vehicle movement and active travel—that is, walking and cycling—to achieve the government's transport mode share targets through a range of key projects and policy development.

The plan continues to work upon the strong sustainable transport goals of this government. The goals of transport for Canberra are a transport system that is integrated with land use planning; makes active travel the easy way to get around; provides sustainable travel options and reduces transport emissions; is a safe mode for moving people, however they get around; is accessible for everybody, whatever their mobility; and is efficient and cost-effective, providing value for money for the government, business and the community by managing travel demand across the whole transport system.

The report highlighted the ACT government's commitment to expanding the accessible options for active travel. Active travel can be described through its methods of walking, cycling and other active alternatives. These are low cost and environmentally friendly while making minimal demand on natural or economic resources. These activities consume no fossil fuels, take up less space and impose little impact on other users.

The ACT transport report card, which was released on Tuesday, 16 September, tracks progress in delivering transport for Canberra and provides an update on its actions. The ACT transport report card shows that there has been significant progress in all aspects of transport for Canberra. Highlights of our achievements in transport since 2012 include over \$100 million invested in new public and active transport since 2011-12, including additional buses, busways, light rail planning, bus stations, stops, park-and-ride, real-time passenger information, the city cycle loop, paths, lighting and intersection upgrades; Majura parkway, which is under construction; and capital metro light rail stage 1, in progress. And the light rail master plan is investigating the next stages of the light rail network.

There are the highest cycling participation rates in Australia, and there are also more people choosing sustainable transport in Canberra. We have also instigated the parking coordinator-general. He has been appointed, and policy development is being programmed on parking pricing, offsets, supply and operations. And of course the freight and low emissions vehicle strategies are being released for public input.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, could you tell us more about how the government measures the effectiveness of the transport for Canberra plan?

MR GENTLEMAN: Yes, the report card shows that the government has either achieved or is on track to achieve its objectives for integration with land use planning,

efficiency and cost effectiveness, accessibility and social inclusion, safety, active transport and sustainability. It also shows there has been progress in all 34 of the transport for Canberra actions.

In its first two years of implementation, there has been success towards achieving a number of the objectives of transport for Canberra. Those include progress in integrated transport and land use planning. There has been an increase in residential population within walking distance of rapid transit corridors, driven by the government's investments in new rapid public transport, and planning for higher density development along transport corridors.

A growing number of people are choosing active travel, with growth in sustainable transport use at a faster rate than population growth. With respect to improving the road network to improve safety and efficiency for the movement of people and goods, there has been over \$350 million of transport investment since 2012, and there has been the release of the draft ACT freight strategy to support more efficient, safe and effective heavy vehicle movement within and through the territory.

We have achieved 55 per cent compliance with the disability standards for accessible public transport for buses and bus stops to meet the 2012 target. Of course, there has been improved safety for all road users through the implementation of the road safety strategy, including maintaining annual fatalities below the national average.

We have also released the draft low emission vehicle strategy and we are encouraging mode shift to help reduce emissions from the transport sector as part of the government's commitments under the climate change strategy AP2, and our legislated emissions reduction targets.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Minister, what does the report card show about the government's continuing development of active transport options?

MR GENTLEMAN: I thank Ms Berry for her question. Canberra has one of the highest rates of active travel, such as cycling and walking, comparing very favourably with other jurisdictions in terms of overall participation rates in cycling. Between 2011 and 2013, overall weekly cycling participation grew from 21.9 per cent to 24.5 per cent. That is the highest of any state or territory and well above the national average of 16.6 per cent. Between 2011 and 2012, cycling volumes increased by 23 per cent, based on counts by TAMS. Data on walking is not available between census years and it will be measured through the next ABS census in 2016.

Highlights of our active travel progress include the ride or walk to school project that was launched in 2012 and is now operating in over 50 schools across the ACT. The active travel framework is under development and the strategic cycle network plan is being delivered through existing maintenance, upgrade and asset creation works programs and planning for new infrastructure. Over \$12 million in new cycling funding has been committed from the 2011-12 budget and over 38,000 square metres of community paths, including bike paths, were maintained in 2012-13.

Over 131 kilometres of new community paths—that is, footpaths and cycle paths—were constructed between the 2011-12 and 2013-14 financial years. The Canberra and Queanbeyan cycle map was updated and the multi-modal journey planner is in operation through the ACTION website, hosted by Google Transit.

Through the delivery of the healthy weight action plan, the government is exploring territory plan amendments and engineering standard updates to create healthier, more liveable neighbourhoods with active streets.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, how does the fact that there are fewer people riding ACTION today than when the transport plan was released tie in with the goals of that very plan?

MR GENTLEMAN: I thank Mr Coe for his question. The action plan is about more active transport. So we are engaging people to use their bikes, to walk and also to use ACTION.

Canberra Hospital—surge capacity

Opposition members interjecting—

MADAM SPEAKER: Order, members. I would like to hear Mrs Jones.

MRS JONES: My question is to the Minister for Health. Minister, on 11 September the executive director of the Canberra Hospital emergency department addressed staff concerns in an email titled “Current ED issues” in which it is reported that on 3 June 2013 the Canberra Hospital implemented “surge capacity”. Minister, what is “surge capacity” as implemented at the Canberra Hospital?

MS GALLAGHER: “Surge capacity” is what it means in any other area: that you are able to ramp up and provide extra bed capacity when you need it for a time. The surge capacity, as outlined in that email, alluded to eight beds that were available to be opened when needed. I think in the last three to four weeks they have been open pretty much the whole time.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, how often does the Canberra Hospital reach level 3 escalation due to capacity pressure? What is that, and does it require the implementation of surge capacity?

MS GALLAGHER: Yes, surge capacity would be covered under a level 3 escalation. That is when the hospital is full. There are level 1 and level 2. Level 1 is normal operations, when the bed capacity across the hospital is at 85 per cent. Level 2 is when you are seeing that capacity increase and there are a certain number of patients bed locked in the ED, for example more than eight hours spent waiting for a bed in the hospital. There are a range of different criteria when the people waiting for surgery exceeds a certain number of hours, whether it be 10 hours, 15 hours, 20 hours, 40 hours. There are a range of criteria that lead to an escalation plan.

After escalation 3, if there has not been a noticeable change in the pressure that is being experienced in the hospital, then the hospital would move to what is known as code yellow.

Mrs Jones: How often?

MS GALLAGHER: I do not have that exact detail in front of me but in the last three to four weeks I would expect that it has been at level 3 escalation for the majority of that time.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, what are the negative impacts on patients, including impacts on day services, when surge capacity and level 3 or higher escalation is implemented?

MS GALLAGHER: The hospital strives to make sure that the impact on patients is minimised. Certainly the impact on staff is felt because staff are busier, and areas that would not normally be used out of hours for bed capacity are being used out of hours. Some will argue that is more in line with moving to a 24/7 operation at a hospital, where you are utilising space that is not used between the hours of nine and five. So there are arguments in support of using that space.

But in terms of how it is felt, I would see that staff are most affected because it brings into play a whole range of extra activity for staff in the facility, whether it be management or staff on the floor. In terms of patients—and we do keep an eye on this—the impact is minimised. It may be that there are more moves around the hospital at certain times for particular patients, but I have not noticed any increase in negative feedback from patients in the last three to four weeks. And you do get it from time to time when the hospital is busy and people get cranky. I have not had any of that in the last three or four weeks, and I must again credit the staff for managing this very actively and very conscientiously with a view to minimising impacts on patients.

MR HANSON: Minister, is this crisis at the Canberra Hospital your legacy after eight years as minister?

MS GALLAGHER: Despite your continuing to use the word “crisis”, there is no crisis at the Canberra Hospital. I think you need to take your job seriously, Mr Hanson. If you go out and talk up a crisis that is not true, all you do is perpetuate worry in the community. We know this. We knew it when Mr Smyth used to carry on about ambulance bypass all the time and get on the radio and crow about that.

Mr Coe: You just told people not to go to hospital.

MS GALLAGHER: No, I did not, Mr Coe, so get your facts straight.

MADAM SPEAKER: Might I again remind people of standing order 42. Chief Minister, direct your comments to the chair and do not respond to Mr Coe or anyone else’s interjections.

MS GALLAGHER: Madam Speaker, I am happy to do that if they are kept to order a little more when I am on my feet. I have been counselled by you twice this week when I have been dealing with the opposition shouting at me repeatedly through my answer. I am happy to play by the rules as long as everybody plays by the rules, and at the moment that is not happening.

Mr Coe: On the point of order, Madam Speaker.

MADAM SPEAKER: Actually, that was not a point of order; I think it was an outburst.

Mr Coe: The interjections that have been heard have been in response to the Chief Minister. She keeps talking about “you”—referring to us—therefore we are going to respond.

MADAM SPEAKER: The point that I was trying to make gently was to remind members—I have reminded the Chief Minister, yes, a couple of times and other members as well on both sides of the chamber—to be mindful of standing order 42 and to address their comments through the chair. You would probably be less inclined to experience interjection if you addressed your comments through the chair. I would like you to try it for a while and see if it works. Quite frankly, Mr Barr interjects fairly regularly; members of the opposition interject a lot and they are called to order. There have been a number of members of the opposition who have been called to order repeatedly and warned this week.

That is how I will continue to conduct question time. If I am not in a position to remind members of the standing orders without them getting uppity we are going to have to start thinking about how we conduct ourselves in this place. A gentle reminder about the simple standing order that you direct your comments to the chair and not to other members of this place is fairly standard and I have done it two or three times to a number of people this week. It is a fairly basic standing order. If you do not respond to people directly, if they interject, you will probably find that there will be less interjection.

Mr Corbell: On a point of order, Madam Speaker—perhaps “on indulgence” might be a better way to put it. In relation to your guidance about application of the standing orders, so on indulgence if I may. I note your view, which is generally supported by *House of Representatives Practice*, that a chamber is a place of cut and thrust and there is necessarily a level of interjection, but your commentary on response to interjection, I think, is not something that is entirely supported by *House of Representatives Practice*. I draw your attention to the relevant provisions of *House of Representatives Practice* which make it clear that the chair has a duty to rebuke the person who interjects rather than to chastise the person speaking for replying to an interjection.

Whilst I appreciate that there is cut and thrust on these matters, I would ask you to consider that point and the application of *House of Representatives Practice* on these matters because I think it is increasingly the view of myself and my colleagues that it

is more a matter to deal with the interjector rather than to deal with the member who is responding to the interjection. That is certainly consistent with *House of Representatives Practice* guidance on these matters.

MADAM SPEAKER: On the matter of indulgence, I thank you for drawing that to my attention; it is a reasonable point. I think that there has been a fairly high level of interjection in the Assembly this week and it has been responded to by a fairly high level of calling to order by me and going as far as warning people.

Emergency Services Agency—fire and rescue service

MS LAWDER: My question is to the minister for emergency services. Minister, as a consequence of the fire in the Sydney Building the ACT's Fire & Rescue high-lift platform known as the Bronto was deployed all day at the fire. ACT Fire & Rescue only has one Bronto and as a consequence ACT Fire & Rescue contacted the New South Wales Fire Brigade to arrange for assistance in the form of an additional Bronto to be dispatched to the ACT. Minister, is it true that the ESA Commissioner contacted the New South Wales Fire Brigade and turned the vehicle back, overriding ACT Fire & Rescue's request?

MR CORBELL: Whether or not that is true, I will seek further clarification on, but what I would say is that it is entirely the responsibility of the ESA Commissioner to coordinate requests for interstate assistance should that be required. Whilst I do not accept the characterisation that Ms Lawder makes on this matter—and indeed whether or not it is true is yet to be ascertained—it is the case that the ESA Commissioner is entirely responsible for ensuring and determining whether or not requests for interstate assistance should be put in place by any of our emergency services.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, is it the case that the ESA Commissioner directed ACT Fire and Rescue officers on how to fight the fire in the Sydney Building, contrary to the Emergencies Act?

MR CORBELL: No, that is not the case.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Minister, is it true that the fire officer appropriately rebuffed the commissioner's directions?

MADAM SPEAKER: Sorry, Mr Smyth; I did not hear that.

MR SMYTH: Minister, is it true that the fire officer appropriately rebuffed the commissioner's directions?

MR CORBELL: I am not aware of any such suggestion.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, why have you ignored your responsibilities as minister for the Emergency Services Agency due to your fascination and preoccupation with capital metro?

MR CORBELL: I see that this is a theme. This is obviously the predetermined Liberal party room theme for this week when it comes to the emergency services portfolio. So let us put a few things on the record. Did I ignore my responsibility when I secured funding to develop a new fire and rescue station for the people of west Belconnen? No, I do not think so. Did I ignore my responsibilities as Minister for Police and Emergency Services when I secured budget funding for a new fire station for south Tuggeranong? No, I do not think so. Did I ignore my responsibilities as Minister for Police and Emergency Services when I secured budget funding for a new ESA training centre at Hume? No, I do not think so.

Did I ignore my responsibilities as Minister for Police and Emergency Services when I secured budget funding for a new helicopter support facility for RFS firefighting operations at Hume? No, I do not think so. Did I ignore my responsibilities as Minister for Police and Emergency Services when I secured multimillion dollar upgrades and additional ambulances for the ACT Ambulance Service? No, I do not think so. Did I ignore my responsibilities as Minister for Police and Emergency Services when I secured pay upgrades for our ACT ambulance paramedics? No, I do not think so. Did I ignore my responsibilities as Minister for Police and Emergency Services when I secured funding—

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson!

MR CORBELL: to put more firefighters on duty to support their specialist platform on demand capability? No, I do not think so.

Mr Wall interjecting—

MADAM SPEAKER: Mr Wall!

MR CORBELL: I could go on further but I think the point has been well and truly made.

Dr Bourke: A point of order.

MADAM SPEAKER: Dr Bourke has a point of order.

Dr Bourke: Madam Speaker, I draw your attention to standing order 117. The speaker is having difficulty answering his question because of the continuous interruption from the opposition.

MADAM SPEAKER: As you would have observed, Dr Bourke, I was calling a large number of members of the opposition to order; to wit Mr Hanson and Mr Wall

specifically, and perhaps Mr Coe. I may or may not have mentioned Mr Coe's name. I cannot remember whether I mentioned him by name. I do not think that Mr Corbell himself was having any trouble. I think he was on a roll and was doing quite well. But I will take this opportunity, before I call anyone else to ask questions, to say that the opposition has been quite unruly today. If you persist in not coming to order when I call you to order, I will start naming people. I will start warning and I will start naming.

Transport—light rail

MR DOSZPOT: My question is to the Minister for Capital Metro. Minister, on 15 September 2014, when you announced cabinet's decision to proceed to the light rail project, you said, "The estimated capital cost of the project is \$610 million plus a \$173 million contingency." This makes a total cost of \$783 million for the project and represents a contingency factor of more than 28 per cent. On 16 September 2014, in question time, the Chief Minister told the Assembly that the cost of the park and ride facilities at Well Station Drive, EPIC and Dickson are not factored into the \$783 million capital and contingent cost estimate. Minister, what elements of the project are included in the contingency component and what are their known costs?

MR CORBELL: I thank Mr Doszpot for the question. The itemisation of the contingency factors will be outlined in the business case when it is released on 31 October.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, why are known costs included in the contingency component for the project and not in the estimated capital costs?

MR CORBELL: Estimated capital delivery and contingency costs have been ascertained consistent with industry standards.

MADAM SPEAKER: Supplementary question, Mr Coe.

MR COE: Minister, what advice did you take, and from whom, as to what constitutes a reasonable level of contingency for a project of this cost? If you took no advice, on what basis did you decide on a contingency factor of 28 per cent?

MR CORBELL: The government has had very significant and detailed advice on all of these questions, both from our in-house experts within the Capital Metro Agency and from our external advisers, in particular the external advisers Ernst & Young, EY as they are now known, who have extensive and very detailed experience in the preparation of business cases for projects of this nature and for their procurement through a public-private partnership framework. They have global expertise in this area. We have taken advice from them as well as from the Capital Metro Agency itself in determining these questions.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, what essential elements are excluded from the \$783 million, given that essential elements such as park and ride facilities are not included?

MR CORBELL: All these factors will become clear when the business case is released. The government has outlined its position on these questions earlier this week. I have outlined repeatedly in question time this week the government's position in relation to the release of the business case and the reasons for the timing around the release of the business case. I simply draw Mr Coe's attention again to the answers I have given to him and his colleagues earlier this week.

ACTION bus service—network

MS BERRY: My question is to the Minister for Territory and Municipal Services. Minister, can you advise the Assembly of the improvements that have been made to the ACTION bus network as a result of the implementation of network 14 on 1 September 2014, and how are these improvements delivering better bus services to the residents of Canberra?

MR RATTENBURY: The new network did commence on 1 September and it provides an extensive range of new services as well as endeavours to both make the services run more directly and have better connections at the interchanges. Overall, for a weekday run of the ACTION network there are 300 more services a day than there were across network 12. That is around a 10 per cent increase, and that means there are now around 3,400 individual bus services running a day across the city.

There is, of course, a greater alignment between weekday and weekend services. Certainly with weekend services, we have also seen a significant increase, with an 18 per cent increase in services on a Saturday and a 30 per cent increase in running services on a Sunday. Certainly in the past some of the significant feedback on the network has been that weekend services have been a weak point, and I am very pleased that there has been a substantial increase on the weekends as well as on the weekdays.

There is also a substantial increase in the number of services heading to the parliamentary triangle. This is for a couple of reasons. Obviously this is a significant employment area in the ACT but also, with the arrival of paid parking from 1 October, ACTION was keen to ensure that even though the parliamentary triangle was already the best-served part of the network in the ACT it will now, in fact, be even better serviced following the introduction of network 14. There will now be over a thousand services a day running through the parliamentary triangle, either directly to the triangle or along Commonwealth Avenue. I would encourage people who do not want to pay for parking when paid parking arrives in the triangle to have a look at ACTION and see if it suits their travel needs.

There are a number of other new services in the network, including a new direct service between Gungahlin and Belconnen, a morning peak service from Gungahlin to the city that has no stops, improved services between Erindale and Woden, increased Xpresso services between Weston Creek and the city, improved services to

Brindabella and Majura business parks, including a weekend service to Majura Park, a new service linking Molonglo to Woden and Cooleman Court and a peak hour Xpresso service to Civic.

There is a new service to Hume and new services to Springbank Rise in Casey, as well as improved services to Crace. Finally, there is a new weekday and weekend service to the National Arboretum which is certainly something that people have been requesting, given the popularity of that venue.

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: Minister, can you detail the planning that was undertaken for services to Weston Creek and how did the review of these services respond to the concerns expressed by the Weston Creek community, and does ACTION usually review new services after they have commenced?

MR RATTENBURY: Weston Creek was reviewed in the same way the rest of the network was in the first instance, where ACTION planners sat down and looked at the MyWay data and used that to measure passenger movements and look for improvements in the network through that.

Following that, of course, ACTION went out to public consultation. I have had an extraordinarily high level of feedback with somewhere over 2,300 individual pieces of feedback on the network. At that point further adjustments were made to the network before its finalisation for the 1 September launch this year.

What I can say is that there is an improvement in services to Weston Creek. I will give you some of the comparisons between network 12 and network 14. There is now an increase from 91 to 93 trips to Woden during the week. There are more trips before 9 am, which is obviously a peak travel time, and there are now four extra services to Woden before 9 am.

There is now an increase in the Xpresso trips from Weston Creek to the city from two in the old network to six. I might add there—and members will have seen it in the paper—there was an error in the drafting of network 14, the final timetable. One of the services out of Weston Creek was accidentally left off. That was one of the latest of the Xpresso services. Unfortunately, there was an error there. ACTION has now rectified that and the new additional service commenced from this Monday, 15 September, meaning six Xpresso trips a day.

There is also a significant improvement in trips on the weekend, with an increase of trips from Weston Creek to Woden on a Saturday from 31 to 55. Trips from Woden back to Weston Creek increased from 30 to 54. On Sunday it is a similar increase, with trips from Weston Creek to Woden increasing from 21 to 41 and on return from 20 to 40. Those particular weekend figures demonstrate the examples where we have seen very substantial improvements in the weekend services.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, how does the availability of NXTBUS help bus patrons to plan their journeys under the new bus network?

MR RATTENBURY: NXTBUS is about digitising the ACTION timetable and helping people to use their various devices to get better information on when their bus is coming. The highlight of the system of course is the live tracking of buses, whereby the GPS units on the buses actually keep track of an individual bus and passengers can look up where a specific bus is and have a prediction of how far it is from their stop. Through NXTBUS they can also track whether a bus has a bicycle rack on it. Eighty per cent of the fleet have a bike rack; clearly some buses do not. Similarly, customers can track whether a bus is wheelchair accessible.

These are all very substantial benefits that are all about making the customer experience on ACTION a better experience and giving people more reliable information on where their bus is. As part of that we are also working on improving the on-time running performance using the same datasets. I was recently out at the ACTION depot at Tuggeranong where staff are increasingly using the GPS tracking units on the buses to help plan the running of the network. They are able to monitor individual buses, assess whether there is a problem with the network and make adjustments around that in terms of providing a back-up bus, extra drivers and those sorts of things. Across a whole lot of levels, that live tracking information is being used to improve the performance of the ACTION network.

MADAM SPEAKER: Supplementary question, Dr Bourke.

DR BOURKE: Minister, can you advise the Assembly on how the first stage of the government's community transport initiative meets the transport needs of the aged and people with disabilities, Aboriginal and Torres Strait Islander people and other transport disadvantaged Canberrans and how people can access these services.

MADAM SPEAKER: The first question and supplementary and the second supplementary are about network 14. I am open to persuasion as to how your supplementary question relates to network 14.

DR BOURKE: The initial question was about delivering better bus services to the residents of Canberra.

MADAM SPEAKER: No; it was about network 14.

Mr Rattenbury: If it assists, Madam Speaker, this is linked to network 14 and it is a supplementary service.

MADAM SPEAKER: Okay. Do you need the question—

Mr Hanson: I think we should hear the question.

Ms Berry: The first question did say, Madam Speaker, if I can assist:

... how are these improvements delivering better bus services to the residents of Canberra?

MADAM SPEAKER: Okay. It was primarily a question about network 14. I am trying to draw the connection between that and Dr Bourke's question. I am assured that there is a connection. Do you need the question repeated, Mr Rattenbury?

MR RATTENBURY: It is fine, thank you. Madam Speaker, on that point, to coincide with the launch of network 14, ACTION has launched a flexible bus service, a community transport model which seeks to assist those passengers who would struggle to use the regular bus service. Some of those come through the straightening out of the routes to make them more direct; some people find themselves further from a bus stop. Particularly for older residents or residents with mobility problems, that might be a challenge. Similarly, some of our older residents need to make specific trips, and the day-to-day ACTION network may not serve that.

The new flexible bus service is designed to provide essentially a door-to-door service for people with particular needs. It is a free service; people can simply ring and make a booking by calling ACTION on 6205 3555. The intent is that if people need to get to a particular health appointment or access a particular service and they have accessibility issues, they can be taken. It includes a hospital drop-off on request. The minibuses are wheelchair accessible. So again it is really targeting those people who would struggle, who perhaps cannot drive themselves and, through their mobility issues, would struggle to even make use of the regular ACTION network.

The initial response has been that the system has worked quite well. We have not heavily promoted it at this point, as we are allowing it to bed down and trying to get the system working smoothly. But already word is spreading. I have had reports that in the early weeks those who have used the service have found it a very positive experience. And the informal word has been getting around through a range of organisations such as organisations where older people particularly congregate, where somebody has used it and started to tell their friends and fellow club members about it.

I expect this service will continue to be popular and will grow in popularity. We will need to monitor the uptake to make sure we have the capacity.

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

Supplementary answer to question without notice ACT Ambulance Service—case management system

MR CORBELL: Yesterday in question time Mr Smyth asked me about the circumstances surrounding the electronic case management system for the ACT Ambulance Service called VACIS. In his question Mr Smyth asserted that many other Australian jurisdictions were now using version 3.0 of VACIS rather than the version used by the ACT Ambulance Service, version 2.2. Mr Smyth asked me why the system had failed during the upgrade. He went on to ask me: when will the system be fully back on, and is it true that the ACTAS version of VACIS is now so old that it is not supported by the provider?

My answer to Mr Smyth's question is as follows. The ACT Ambulance Service uses software version 2.3.1 of VACIS for its electronic patient care record system. I can advise Mr Smyth that, contrary to his claims, version 2.3.1 is the newest software version available. Version 2.3.1 is also being used by the New South Wales Ambulance Service, Ambulance Victoria and Ambulance Tasmania. Indeed, the Queensland Ambulance Service is planning to deploy version 2.3.1 in the near future, and South Australia does not yet use this version.

I am further advised that software version 3 is not used by any ambulance jurisdiction in Australia as it remains under development and is not due for pilot deployment until February next year.

Papers

Madam Speaker presented the following paper:

Auditor-General Act—Auditor-General's Report No 6/2014—Annual Report 2013-14, dated 18 September 2014.

Ms Burch presented the following paper:

Cultural Facilities Corporation Act, pursuant to subsection 15(2)—Cultural Facilities Corporation—Quarterly report 2013-2014—Fourth quarter (1 April to 30 June 2014), dated September 2014.

The Clerk presented the following paper, pursuant to the resolution of the Assembly of 5 August 2014:

Register of Lobbyists—ACT Lobbyists Regulation Guidelines.

Transport—public Discussion of matter of public importance

MADAM SPEAKER: I have received letters from Ms Berry, Dr Bourke, Mr Doszpot, Mr Hanson, Mrs Jones, Ms Lawder, Mr Smyth and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Mr Hanson be submitted to the Assembly, namely:

The importance of getting priorities right for public transport.

MR HANSON (Molonglo—Leader of the Opposition) (3.25): I am a little disappointed by the exodus from the chamber, Madam Speaker. I thought people would want to stay around for this important matter of public importance. It actually gives me great pleasure to address this issue in this place and to consider what are the priorities that we should be putting forward in the public transport arena but also, more broadly, where are the priorities for government, because you cannot do it all. If you are going to have a good public transport system, there are things that you can do and things that you cannot do if you want to achieve that.

It was interesting to hear from Mr Gentleman about the transport for Canberra plan. He talked about the utopian vision that this government has for transport. I will go through some of the buzz words in a minute. If you believe everything that is coming out of the spin from this government and the sort of stuff that Mr Gentleman was talking about, the buzz words—it is clean, it is safe, it is going to be available for all, it is integrated, it is sustainable, it is transformative, active travel, multi-modal transport planning—it sounded wonderful. But the reality is very different. The reality experienced by Canberrans when they go out to catch a bus just about anywhere across Canberra is very different from the utopian vision that was presented by Mr Gentleman and, indeed, by Mr Rattenbury in answer to the dorothy dixer that he got.

I am not going to criticise all the elements of network 14. Like many changes, there are good and bad, but when it comes to priorities I think it would have been useful—as an aside—for the minister to have been here when it was rolled out. Certainly, there was the imagery of bus drivers with placards saying, “Contact the minister; don’t complain to me,” when so many people were obviously complaining about the changes. It would have been useful if the minister had been here to perhaps deliver on network 14 when it was put forward.

I have received numerous complaints about the bus service. I know there are many people who have school age children who are really disappointed that a number of important services have been cancelled. Of course, these are people that do not have many other options. It is not just the kid that is impacted; it is obviously their parents or whoever it is that now has to make sure they get to school.

Ultimately the question is: where are the people? Where are the people that should be, essentially, if they are so excited about the public transport system here, catching the buses? It is quite clear that people are voting with their feet or with their cars because they are not taking the bus; they are finding alternative modes of transport. When Mr Gentleman was asked about that in a supplementary by Mr Coe his answer was, “We’re encouraging them to walk.” That may be the case, but ultimately what we are seeing is that the public transport system in this town is not delivering on the promise being put forward by this government.

The government’s strategic solution to this is the biggest project in the history of the ACT by a country mile. This government tries to say, “Health is the same size project.” That is nonsense. There have been lots of health projects—individual projects—within the program of health delivery over the last decade. It is like saying that light rail should encompass all the money that has been spent on buses. It is the ACT’s biggest project. What I would say is that this should not be a priority for public transport in Canberra.

The evidence is compelling. There have been numerous reviews done on this. Indeed, the government’s own study in 2012 compared bus rapid transit, which would cost \$276 million, with a cost-benefit ratio of 1.98, with light rail at a cost of \$614 million—we now know the full cost, or we think we know the full cost; I will go into some detail later—which only had a cost-benefit ratio of 1.02. So even by the

government's own analysis, their own figures that they put forward to Infrastructure Australia, it does not stack up when compared to bus rapid transit. That led Infrastructure Australia to say:

The case for favouring light rail over bus rapid transit has not been strongly made, especially when the submission itself points to the stronger economic performance of a bus rapid transit option.

But they went ahead anyway. This is a government that have said, "Stuff you, Infrastructure Australia, and stuff you, Productivity Commission. We don't care what you say. You're just the experts"—because the Productivity Commission came out as well and slammed this proposal—"We're going to go ahead with this anyway. We're going to go on this crusade because we don't really care ultimately about the priorities for public transport for Canberrans. We know that this will only, at peak hour, service less than one per cent of Canberrans on this route, on the tram." It is not about priorities for people on public transport.

Let us see what the priorities are. The priorities here—as we know and as we have made the point and will make the point time and again; and I know Mr Rattenbury does not like it—are political. They are political priorities to make sure that Mr Rattenbury gets what he wants. What he wants is a nice big project, the biggest project in the ACT's history, so that when he goes to the election in 2016 he can say to his base, about 10 per cent of the population in one electorate, "Look what I got for you. Don't worry about the fact that I sold out on everything else when I joined this government, when I became the minister for roads and the minister for parking and led the way on the kangaroo cull. Don't you worry about all that because here's a shiny new tram and we've put \$800 million into it."

Mr Rattenbury knows that he has to have this project because everybody else in the Greens is saying, "Where is Mr Rattenbury on our issues? Where is Mr Rattenbury on the core issues that we want him to deliver? Why is that he has become the minister for parking, the minister for roads? That is totally against our values as Greens." Do not be in any doubt about what the priorities for public transport are for this town. It is mostly about keeping Mr Rattenbury in the cabinet.

When I say that one per cent of the population will use it, that is based on the government's own figures. Kate Carnell was just one in a long list of people who came out saying that this does not stack up for Canberra; it is not viable for Canberra. She joined the Productivity Commission and Infrastructure Australia in saying that. The next day, as is his wont, Mr Corbell came rushing in with his figures to say that, by 2021, 3,500 people in the morning peak will use it. That is actually the same figure that is currently on the buses. So you are going to spend \$800 million of taxpayers' money to build a tram for Mr Rattenbury so that people just simply get off the bus and onto the tram, and we are talking about less than one per cent.

What about the other 99 per cent of Canberrans in peak traffic, the people from Belconnen—your electorate, Mr Assistant Speaker—or Tuggeranong in Minister Burch's electorate, or from Weston Creek or Woden in my electorate? What are they going to do? What is the equivalent expenditure, because they do not have a Green in

their electorate? They do not have a Green in Belconnen and they do not have a Green in Tuggeranong that needs this as part of their priorities for re-election. It has got very little to do with public transport priorities for Canberra because, as we know, stage 1, which was this tram, was locked in before the master plan was even complete.

Where is the master plan? Where is this transformative plan for all of Canberra for light rail? Where is it? The master plan is going to show us how Canberra is going to be transformed. It is going to show us the network to connect all the town centres. Where is it? Any government, anyone conducting planning of any sort, would know that you would do that plan first. You would do your strategic master plan, you would assess the routes and you would then decide which routes to implement in sequence based on cost, based on viability, based on patronage; based on a range of other factors.

But the government are retrofitting the master plan to try and make the case for the fact that they have already decided to do stage 1. They have already discounted other routes—other routes from your electorate, Mr Assistant Speaker—that would go from a very heavily populated area where there are people with great social need in many cases who might benefit from a tram going through a university or hospital into town. Why was that not considered? Because there is no Green, Mr Assistant Speaker. I am sure that if Mr Rattenbury was also a member for Ginninderra we would know exactly where stage 1 would be going, and it would not be on the route that is planned.

The other question that has to be asked is this: what is this going to cost us? The capital costs, as we heard in question time, I think need further explanation. I commend Mr Coe again for the work he has done here. He has again exposed the failings and the lack of detail not just in Mr Corbell's plan but in his figures. What is the full cost of light rail? We now know from question time that capital metro is not in the cost of light rail. How extraordinary is it that capital metro, the organisation that tweets and puts out little squeeze dolls for you to play with and show bags, is not included in the cost of light rail. I thought they were the agency; the Capital Metro Agency. You would think that would part of the costs, but no, it is not.

As much as Mr Corbell has attacked Mr Coe, Mr Coe has rightly asked all the questions and it turns out Mr Coe was right all along. What is the full capital cost? What are the costs in the budget? We still do not have the full answer. The thing that really vexes a lot of people in Canberra, apart from the fact that they do not have the business case yet and the government refuses to release the business case, is that there is no explanation of the operational cost. What is this thing going to cost to run? Mr Assistant Speaker, can you answer that?

Government members interjecting—

MR HANSON: We are getting some interjections from those opposite. Hopefully Mr Corbell will answer some of these questions. He will tell us where the business case is now that he has come in here with his interjections. He will tell us what the operational costs are for light rail. He will tell us whether the Capital Metro Agency is incorporated or not and, if not, why not. I welcome his appearance here in the chamber, but it is odd that Mr Rattenbury, who is the Minister for Territory and

Municipal Services, who runs the buses, is not sticking around for an MPI on transport. It is interesting that Mr Corbell only turns up late for it, if they want to make interjections. Mr Assistant Speaker, what will be the full cost? You look at me blankly because you do not know, and that is because nobody knows. Nobody has got an answer to what the operational costs are, other than Minister Corbell.

Minister Corbell, as we know, has a longstanding agenda that is pretty much anti-car and anti-parking and trying to force everybody out of their cars—it is part of an ideological agenda—and onto public transport. What I would say is that my view and that of the opposition are very different. We want to make sure that we have very good options for public transport and that we provide a good, efficient and timely service. But there is a reality, and that is that many people—in fact, about 90 per cent of Canberrans—choose to drive their motor vehicles. We have a different approach. Whereas this government is trying to instigate policies that essentially try to force people out of their car and onto public transport, we would like to do it a different way—that is, provide a better public transport system that encourages people to get onto it, rather than forcing people out by squeezing them when it comes to parking.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for the Environment and Minister for Capital Metro) (3.40): I am pleased to rise on this discussion this afternoon about the importance of getting priorities right for public transport. We heard from the Liberal opposition that, of course, their approach to getting priorities right for public transport is to provide more capacity for people to use the car. But the whole point of public transport is to make the transport system as a whole work efficiently. It is about reducing demand on the road network. It is about giving people transport choices so that they do not have to use the car if they get some better choices that they can choose from when it comes to public transport.

We hear the claim often from the Liberal Party that the government's position is one which says that we are anti-car. That is not the case. I would simply draw Mr Hanson's attention to the government's transport policies, and my colleague the Minister for Planning will outline these in more detail shortly.

One of the key facts that he fails to acknowledge is that the government has set out some clear targets in relation to what should be the desired mix of transport modes for journeys to work, which of course is the peak time in the transport system. What is the level that the government sets out in our transport planning documents as its target for car use during peak times? In the government's transport planning framework it is approximately 80 per cent of all journeys to work are projected to be by the private motor vehicle. The government's own policies recognise that car use is going to remain the dominant mode in our city.

We know also that the current level of over 90 per cent is simply unsustainable. It is going to lead to more and more expenditure on roads and car parking at a time when the scarcity value of land continues to increase. We know that we need to give people more choices so that we can manage demand on our road network and make sure it works more efficiently for everyone. And we do that by investing in better public transport and having the appropriate land use policies in place to ensure that more

people can access good public transport and can cycle and walk where possible and appropriate. It is not about forcing everyone out of their cars, and this is a simplistic and stupid argument from those opposite when they continue to assert it.

The development of light rail in Canberra is absolutely critical to providing people with real transport choices. We need, as a city, to think differently about public transport. We need to give people a real, meaningful choice that is going to attract them out of using their cars and allow them to use a frequent, rapid, reliable, high-quality, world-class public transport system. Light rail is the first step towards achieving that.

Canberra is in fact designed for effective public transport provision. It is not a city designed for the car. Its multiple centres are designed to be connected by frequent and rapid services along the centre's corridors. The bus service will continue to play a critical role in supporting the operation of that rapid corridor service provision. This is not about light rail or buses. It is about light rail and buses. It is about effective integration. It is about making sure they work together.

Why has the government chosen the Northbourne Avenue corridor? The Northbourne Avenue corridor, the Gungahlin to city corridor, has long been identified as a key corridor for rapid transit infrastructure investments. It was identified as long ago as the early 1990s with the Gungahlin external travel study undertaken by the then federal parliament's Joint Standing Committee on the National Capital. When they were looking at the transport issues that would arise as a result of the development of the Gungahlin district, which of course had not been developed at that time, they concluded that decisions such as the development of what was then called the John Denman Parkway, and which is now called Gungahlin Drive extension, could not proceed until decisions had been taken to improve other transport modes to try to manage demand arising from the development of the Gungahlin district. In particular, they talked about the need to provide better public transport between Gungahlin and the city. The history of that corridor goes right back to the early 1990s as a corridor for priority.

Since that time there have been repeated and numerous studies that have all identified this corridor as a priority corridor. We know that if we are to invest in the significant way the government is proposing in relation to capital metro then it is not just about public transport provision. It is also about enabling significant consolidation and development along the corridor so that as many people as possible can live close to this excellent level of transport service that is going to be provided.

Northbourne Avenue, for the past two decades, has been developed as a corridor with high density along its length. It has been a deliberate and explicit planning policy of consecutive territory governments. Why has it been done? It has been done because it has been recognised that at some point a territory government will need to make the decision to provide rapid transit along that corridor.

In investing in capital metro along this corridor, we are putting A and B together. We are putting together the already existing consolidation along the corridor, along with the potential for further urban consolidation and development, and the rapid transit

services that can support that higher density of population. It is the right decision for our city. It is also consistent with our projections of population growth across our city. Gungahlin is the fastest growing area of our city. It is growing at five times the rate of the rest of Canberra. Northbourne Avenue itself is one of the most congested road corridors in our city, if not the most congested. These are all reasons why investment in light rail along this corridor is the right decision for our city and it is why this government is getting on with that job.

It is important that we get our priorities right for public transport, and getting our priorities right is not to knock down the big idea. Instead, it is to focus on why we have developed our city in the way we have and why we need to make this investment decision now.

We will need to continue to see a range of responses to improve public transport across our city. Network 14 makes many substantial improvements in terms of service frequency and in terms of service coverage. These are important reforms and they will need to continue. We will need to continue to invest in bus priority measures across our city and we will need to invest in world-class public transport infrastructure like light rail to help turn around our perceptions of public transport as a meaningful choice to move around our city and as a way of meeting our modal split targets set out in transport for Canberra.

This government has a clear vision for public transport. It has a clear vision for managing the transport system in our city, and we are getting on with the job of making those critical investments.

MR RATTENBURY (Molonglo) (3.50): Quality public transport is and always will remain a focus for the ACT Greens. We see it as a real priority for this city and, as my Greens colleagues and I have argued consistently over all the years we have been in the Assembly, quality public transport is key to the future of the city if we want it to be a place that is liveable, healthy and convenient. You will be doing well to find a successful city in the world that says, "Hey, what we need to do is focus on cars more," or that says, "Our success is due to de-prioritising public transport." It is exactly the opposite.

One of the false dichotomies used by the opposition, no doubt as part of a political tactic to denigrate me or the government, and especially to try to diminish the benefits of light rail, is to say that because the government is building light rail it does not care about ACTION or it does not care about some other issue. That also is completely false. Members will know that I have always valued and argued strongly for a better bus system. ACTION is also key to the success of light rail, as Minister Corbell has just touched on, and I want both modes of transport to work in an integrated way to bring all of Canberra a first-class public transport network.

Light rail is not a replacement for Canberra's buses. It is a complement to them. With light rail forming a rapid and regular public transport spine, buses will feed passengers into the light rail, significantly extending the catchment for public transport across our city. What I have in fact found over the years in the Assembly is that I am continually arguing the merits of buses in the face of denigration and attacks

from the opposition who say public transport is too expensive, not enough people use it, the community should not pay for it, it should be cut and savings returned to individuals in the form of tax cuts. Cutting bus services is certainly not a priority of mine.

Network 14 improves efficiency, and improving that efficiency and the network is a priority of mine. With regard to the implementation of network 14—and earlier today in question time I touched on some of the improvements—the intent of the network is to straighten out routes, increase frequencies and improve connections.

I take on board Mr Hanson's comments about the fact that it is clear that not everybody is happy about network 14. There have been changes to the network and I have had feedback from people that they are not happy with the new network, it is not convenient for them. Unfortunately that is the case. We never promised it would benefit everybody, but certainly overall this network, as I touched on earlier, is delivering 300 more services a day across the network than network 12 did. It is delivering an increase in services on the weekends and it continues to expand to the new parts of Canberra where new residents are seeking new services.

I know the network team have worked incredibly hard to deliver a network that they believe is an improvement for the citizens of Canberra. Some of the more derogatory online comments have been from, frankly, people who operate anonymous Twitter accounts. The things that have been said about the team at ACTION and me are from people who operate anonymous Twitter accounts. The fact that it is anonymous says everything you need to know about the person behind that account. The fact that Mr Hanson then favours those tweets reflects as much on him as it does on me, I think.

There is a lot of discussion about what Canberrans think is important and what are the real priorities. I have heard several members confidently declaring what it is that Canberrans want when it comes to transport priorities.

To help this debate, let me offer some interesting facts about community attitudes towards public transport and priorities. Firstly, Canberrans want a greater proportion of their transport scheme to go to public transport. Canberrans were independently surveyed about how they would spend \$1 million of new funding on transport in their neighbourhood. The results were very interesting. People in the community said they would give cycling and walking, or active transport, 43 per cent of the funding, public transport would get 37 per cent and motorists would get 20 per cent. I was very surprised by that, and I was very encouraged by it, because I think it speaks to the fact that Canberrans know that quality of life comes from being able to get around conveniently and that they do not just want to hop in their cars. They do want to be able to take up active transport and they would like to see improving infrastructure for that, to make it easier and more convenient. I completely support the findings of this community survey and the attitude of Canberrans in prioritising that area of funding.

A second interesting fact is that Canberrans rate public transport as a high priority when compared to other issues. Another survey this year, carried out by a professional company, asked Canberrans which issues are important to them. Canberrans listed health and education as most important, which is usually the case in these polls, and

consistently we know that those are the top issues. As we have discussed in recent days, they are also the issues that are receiving more than half of the government's overall funding, reflecting the fact that the government too is prioritising those areas.

Canberrans then next listed improving public transport as a priority. This was listed equally with the importance of improving housing affordability. That is an undeniably strong result for public transport. Canberrans recognise the benefits brought by improved public transport, and they expect the government to work on this issue for them. Again, it is an objective indicator of what Canberrans think is important. They rate improving public transport highly, as Canberrans value this service and understand the benefits improved public transport brings to the city.

There is some irony in Mr Hanson raising public transport as a matter of public importance today, because what is unfortunately clear is that public transport is not a priority for the Liberals. At the federal level, Prime Minister Abbott has made it clear that his priorities are to build roads and not to fund public transport. In fact, what he said was that he will "stick to his knitting ... And the commonwealth's knitting when it comes to funding infrastructure is roads".

In our business-as-usual scenario, I agree that building all these roads has the potential to lead to short-term increases in productivity and decreases in congestion. But what about the long term? I would argue that with this roads focus, in the end Tony Abbott is only knitting Australia a straitjacket. We will be locked into a transport framework that is high polluting, expensive, liable to rapid congestion, susceptible to fossil fuel uncertainty, and it will be much harder to combat these problems the longer we leave them. And I fear that the local Canberra Liberals want to take us in the same direction.

Mr Abbott has promised to spend \$80 billion on roads. For less than one-eightieth of this amount, Canberra could have its first stage of light rail. Imagine what we could do for Canberra if Mr Abbott and the Liberal Party gave some priority to sustainable transport instead of focusing entirely on roads.

I am also interested in the potential irony of the fact that Mr Hanson came in here today and spoke enthusiastically about bus rapid transit. I suspect if the government had decided instead to build bus rapid transit, the Canberra Liberals would be in here tearing that apart. They would either have decided for pure oppositional sake to go for the light rail, like Mrs Dunne argued in previous years, or they would simply be saying we should not be doing it at all. I am not sure which it would be, but I can almost guarantee that they would be opposed to BRT if the government had gone down that path. That is what they do. They define themselves by the notion of opposition.

When it comes to public transport priorities, I am working with the government as part of the cabinet to make sure we get Canberrans a decent alternative to the car. We need to make sure that people have got a range of options for getting around this city and for making sure that those options are constantly being improved.

We have seen improvements through network 14 with an increase in services. We are seeing concerted effort to improve the walking and cycling infrastructure in this city

and we are seeing, through the commitment to light rail, the government biting the bullet and starting to put in place the long-term infrastructure that this city needs so that we do not end up being a city of congested roadways as Sydney has become but we continue to be the city that Canberrans love, one that is easy to get around and one that has a high quality of life.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Community Services, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (3.58): The ACT government knows the importance of public transport, and is investing, through a range of visionary policies and projects, to make our city a better place to live, work and to do business.

If we look at the history of public transport in Canberra we see that public transport is not one size fits all for the city. A detailed understanding of a city is therefore required to ensure that the solutions meet the economic, environmental and social needs of the city. Canberra is a multi-centred city, made up of the districts of Belconnen, central Canberra, Gungahlin, Tuggeranong, Woden valley, Weston Creek and Molonglo valley, each separated by hills and natural open spaces. And the ACT districts were designed with a range of activity centres to have a high degree of self-containment and reduced travel distances.

Each district is made up of residential suburbs clustered around local group and town centres. To our east, of course, Queanbeyan has a population equivalent to a Canberra district and is an increasingly important part of planning for Canberra. Canberra is also the centre of the Australian capital region, a growing region of approximately 600,000 people with a diverse population, economy and environment. The ACT's population is projected to grow from an estimated 365,000 in 2011 to 553,500 by 2041. Queanbeyan's population is also projected to increase to 67,900 by 2041, leading to a total population in the area of 621,400 people by 2041.

In comparison with other Australian jurisdictions, Canberra's population is relatively youthful. People aged 20 to 39 make up 33 per cent of the ACT population, compared to 29 per cent Australia wide. But our city's population is also ageing. In 2011 Canberrans aged 65 and over comprised 11 per cent of Canberra's population, compared with the national average of 13 per cent. Canberra's population is expected to continue to age; by 2056 the number of people over 65 is expected to more than double, to account for 20 to 23 per cent of Canberra's population.

To meet the needs of our population in the future we need to look at providing choice in housing close to public transport to meet the needs of young people and families and also allow our ageing population to "age in the community". We need to provide good public transport connections to key health, community, recreation, education and aged care facilities. We need to ensure that the city's streets and public spaces are vibrant and activated, with restaurants and retail land uses at ground level which attract custom during the day and of course in the evening.

Like in all major Australian cities, car use climbed in Canberra in the latter part of the 20th century. This has led to growing congestion, transport disadvantage, greenhouse

gas emissions, air and noise pollution and sedentary lifestyle diseases like heart disease and diabetes. Of course, we have heard from those opposite that they think that this government hates cars or is opposed to cars—quite the opposite, Mr Assistant Speaker. I think I have constructed, repaired, driven and raced more cars than Mr Hanson has had hot dinners.

Canberra has the highest average travel speeds and lowest level of congestion of any major Australian city at the moment. But population and traffic congestion are both growing, with congestion growing at a faster rate. It is estimated that, if we do nothing, by 2031 more than 200 kilometres of our roads will have a volume versus capacity ratio of more than 0.9, meaning greater traffic congestion, longer travel times, less productive work hours and health risks associated with less physical activity and the stress of commuting.

Our transport system needs to provide options for everyone and we need to design our city so that people can live where the best public transport is. Knowing where the major public transport corridors are can help our decisions about the location of social and affordable housing to ensure that people with the highest need for public transport have access to the best public transport. A low-density urban form combined with lack of access to good transport options can lead to social isolation. There are parts of our city where high-frequency public transport may be desirable but can be difficult to deliver at high frequencies due to circuitous road networks and very low density.

A compact city supported by quality urban development will both support mass public transport on major corridors, both roads and public transport, and help active travel be the obvious choice for local trips. A more accessible and integrated transport system will help to promote individuals' independence and autonomy, decrease isolation and increase social inclusion, enable access to services such as healthcare and shopping facilities, enable participation in employment and education opportunities, provide opportunities for enjoyment of entertainment and recreation, enhance community spirit and diversity, and contribute to the local economy.

The ACT government's investment in a comprehensive transport system for Canberra has not focused solely on buses or light rail. Our approach encompasses much more than that. Significant investments have been made by this government to sustain the continued rollout of public roads and transport solutions across our city as it has grown. This prioritised infrastructure work is demonstrated by our investments of over \$700 million in the completion of major arterial roads projects such as Majura parkway, Monaro Highway and the Gungahlin Drive extension; over \$42 million invested in the major upgrade of Constitution Avenue, with support of the commonwealth government; and \$6 million to improve the efficient movement of people on Barry Drive.

Mr Assistant Speaker, only this government is committed to strategic infrastructure and transport planning across all modes of transport, for all Canberrans.

In 2004 the sustainable transport plan established mode-share targets to help address these challenges. Transport for Canberra confirms the importance of these targets to manage transport demand for a growing city. Continuing its commitment to

responding to these challenges, the government released two policy documents, transport for Canberra and the ACT planning strategy, which continue to deliver on the specific challenges that Canberra confronts.

These important policies plan for more compact development around centres where residential, commercial, retail and recreational land uses mix together sensitively. They also deliver enhanced pedestrian, cycling and public transport infrastructure, connecting suburbs to each other and the centres. They also prioritise development along, and adjacent to, major transport corridors that connect the town centres.

Canberra's transport system needs to build upon our well-planned urban structure. Canberra's town centre nodes and well-developed arterial road network provide a solid base for expansion of the public transport corridors detailed in transport for Canberra. Transport for Canberra establishes a frequent network of rapid corridors and frequent local lines with fast, frequent public transport that guides land use planning and investments. The rapid corridors will be adopted into the territory plan as part of the new ACT planning strategy. Also, in active communities where walking and cycling are the easy choice for local trips, public transport options will be supported by park and ride and bike and ride facilities for quick cross-city travel, and ring road options for car and freight traffic that integrate with central corridors designed for public transport.

We can see that a growing number of people are choosing sustainable transport to travel to work, with growth in sustainable transport use at a faster rate than population growth. Since 2012 we have made significant progress in integrating transport with land use planning, with an increase in the number of people who live within 750 metres, or a 10-minute walk, of a public transport corridor where they can catch a rapid bus. This has increased from 14.5 per cent prior to the introduction of transport for Canberra to 23.7 per cent following increases in rapid services with the introduction of the red rapid service between Gungahlin and the city and Fyshwick via Russell and Barton, and extension of the blue rapid from Tuggeranong to Kippax, via Woden, the city and Belconnen.

In closing, Mr Assistant Speaker, the transformation of the inner suburbs around Canberra city has seen the number of people walking to work also increase. So I think that we are delivering on our goals for sustainable transport and for active transport across the city.

Discussion concluded.

Energy Efficiency (Cost of Living) Improvement Act 2012

Paper and statement by minister

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

Energy Efficiency (Cost of Living) Improvement Act, pursuant to subsection 55(3)—Energy Efficiency Improvement Scheme Review—Final report, prepared for the ACT Government by Jacobs, dated 13 August 2014.

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

Leave granted.

MR CORBELL: I am pleased today to table the outcomes of the independent review of the Energy Efficiency (Cost of Living) Improvement Act 2012, as required under part 7 of the act.

The intent of the Energy Efficiency (Cost of Living) Improvement Act 2012 is to provide for a market-based scheme that places an obligation on electricity retailers in the ACT to achieve energy savings. The act aims to encourage the efficient use of energy, reduce greenhouse gas emissions associated with stationary energy use in the territory, reduce energy use and costs and, in particular, assist low income households suffering from utility cost stress.

The review of the act finds that the scheme it provides for, the energy efficiency improvement scheme, is successfully meeting these aims—helping ACT households to access significant energy and, therefore, cost savings on their electricity and gas bills. I note, of course, that this is the scheme opposed by the Liberal Party.

As we know from the work undertaken to inform the development of the act, the need to address energy efficiency in the ACT arises for a number of reasons. The ACT maintains the unenviable position of being one of the highest per capita energy users in Australia. Despite great potential for energy savings across all sectors of the economy, a range of market failures have to date prohibited the uptake of cost-effective energy efficiency activities. Energy efficiency measures often have a short pay-back period on their initial cost and yet often even the easiest things are not done—opportunities to improve environmental outcomes are missed and our community remains vulnerable to rising energy prices.

Including future emissions abatement, the review has concluded that the scheme is deemed to have abated approximately 238,000 tonnes of greenhouse gas emissions through the installation of over 270,000 items in over 24,000 Canberra homes during the period 1 January 2013 to 31 March 2014. This equates to average emissions abatement per household of nearly 10 tonnes of carbon dioxide equivalent.

Noting that the act requires that a proportion of energy savings be achieved in low income households, I am also pleased to report to members that 30 per cent of savings have been achieved in these priority households to date—exceeding the 25 per cent target.

The review estimates the net present value of energy cost savings from activities undertaken to date is \$1,614 per participating household, or a \$318 saving in annual terms for each household. This is compared to the estimated cost to households of around \$19 in 2013 and \$33 in 2014. This scheme has been a real success, saving households on average \$318 off their electricity and gas bills.

Over half of participating households surveyed as part of the review reported a reduction in their energy use resulting from the activities, and less than a third reported that they may have purchased these products within the next 12 months without the scheme. In addition, around a quarter of all households reported that their participation in the scheme led them to undertake further energy saving activities. Not only is this policy having a direct positive impact on ACT households but these households are also going on to seek out further savings themselves.

As technologies and consumer preferences change and as our understanding of them improves, it is important that scheme design and administrative arrangements keep pace. In the case of standby power controllers, the review notes incidents where consumers have not been satisfied with these products and a proportion of households have removed them shortly after installation. This is not entirely unexpected. The ACT's ability to observe these practices in other jurisdictions such as Victoria has meant that we have been able to improve outcomes for participants in our scheme and ensure that such activities are appropriately incentivised. The work on this front is ongoing.

Taking stock of similar schemes across Australia, the review addresses the Victorian government's recent decision to discontinue the so-called VEET, or Victorian energy efficiency target scheme, on the grounds that the benefits did not exceed the costs of the scheme. The review notes that the findings supporting the discontinuation of the Victorian scheme have been disputed by many stakeholders and further independent analysis indicates significant net benefits resulting from the scheme worth hundreds of millions of dollars per year. As a result, the Victorian opposition have committed to continuing the VEET scheme if they are elected later this year. Both South Australia and New South Wales, a Labor and a coalition administration, continue to support the continuation of their energy efficiency schemes.

Based on the success of the EEIS to date, the review highlights that there is a clear advantage in continuing the scheme. The scheme is complementary to the government's focus on reducing the greenhouse gas intensity of the electricity grid and reducing cost of living pressures. Overall, the review concludes that considerable cost-effective energy efficiency opportunities remain in the ACT and the current level of ambition could likely be maintained through the continuation of the scheme beyond 2015.

The review also identifies potential changes that could benefit the future operation of the scheme. For example, reducing energy consumption through the scheme can reduce the costs associated with electricity use and support a 90 per cent renewable energy target. However, as that target substantially reduces the emissions intensity of the electricity grid, the review recommends the focus of the scheme may be better framed in terms of energy and/or cost savings, rather than greenhouse gas savings.

The review also highlights that obligated electricity retailers require long-term certainty regarding the future of the scheme to enable the implementation of a sustainable and effective business model. We know that investment certainty is fundamental to an efficient allocation of resources, to encouraging competition and to fostering innovation.

Supporting the long-term continuation of the EEIS, an opportunity to extend formal partnerships with other jurisdictions in the future to improve information sharing is also identified. The review also recommends exploring additional opportunities for the scheme to leverage off activity development in other jurisdictions and seek further integration of schemes while noting potential issues arising if the EEIS is reliant on the continuation of other schemes.

Importantly, the review also recommends that, where smaller tier 2 retailers may elect to pay an energy savings contribution in place of undertaking activities, the scheme continues to ensure that competition impacts in retail electricity markets are minimised. In relation to this, the review highlights that tier 2 retailer contribution fees must be used towards energy efficiency improvements to meet the requirements of the act. In addition to funding additional administrator resources, the review recommends that these funds be used to continue to implement complementary activities targeted at education, awareness and behaviour change, as well as targeting those groups of the ACT not benefiting from the scheme to the fullest extent possible, such as renters.

In response to the review it is the government's intention that the EEIS be considered for continuation beyond the currently legislated period which concludes on 31 December 2015.

While the outcomes of the review indicate that the current level of ambition could likely be maintained for future compliance years of the EEIS, further work is required to develop a suitable metric to replace the current greenhouse gas metric, determine the specific targets for retailers and determine appropriate eligible activities. While higher targets can deliver greater energy cost savings, they can also bring higher risks and pass-through costs to ACT electricity users, and these issues will be considered as part of the ongoing policy work in the area of energy efficiency.

I am also committed to ensuring that the funds raised by the scheme are invested in accordance with the act, and recognise that there are opportunities to enhance complementarity of government programs while ensuring that those areas of the community not reached by the scheme are supported. This will be the subject of further consideration in the next budget cycle. Work will also continue to take advantage of opportunities to draw on new initiatives in New South Wales and South Australia and seek closer integration of these schemes in the future.

In closing, the review of the act has demonstrated that the energy efficiency improvement scheme works. It saves households money on their electricity and gas bills and it saves greenhouse gas emissions. It is a prudent response to addressing the impact of energy price increases while supporting the government's renewable energy and climate change policies. I commend the paper to the Assembly.

Domestic Animals Amendment Bill 2014

Debate resumed from 5 June 2014, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR COE (Ginninderra) (4.19): The opposition will be supporting the Domestic Animals Amendment Bill 2014. The bill makes amendments to the Domestic Animals Act to ensure that greater penalties are in place for individuals who allow their dogs to cause serious injury to another person or animal. While the courts have always had the flexibility to impose a punishment which was consistent with the seriousness of a dog attack, these amendments specifically raise the maximum penalty when a dog attack seriously injures a person or animal.

Dog attacks are not frequently reported in the ACT but their occurrence is common. Last year Domestic Animal Services reported 284 such attacks. This number is too high, and these amendments will hopefully lead to more responsible dog ownership.

The bill firstly inserts section 49A into the act, which replaces the existing section 50. Essentially, section 49A is a redrafting of section 50 which creates an offence when a dog's carer or keeper allows their dog to attack or harass another person or animal.

The bill, however, makes a couple of substantial changes to the law. Firstly, this section will now become an offence of strict liability. It is hoped by this change that it will become easier to prosecute a dog's carer or keeper when their dog attacks or harasses another person or animal. Secondly, the destroying of a dog is no longer the default position for dogs that have attacked or harassed a person or animal.

The biggest change made by this bill is the addition of the new section 50. This new section will make it an offence if a person intentionally or recklessly does or omits to do something which allows their dog to attack or harass another person or animal and that person or animal is seriously injured. Serious injury is defined in the bill as one which endangers or is likely to endanger a person's life or an injury which is or is likely to be a significant or longstanding injury. The maximum penalty under this offence is 100 penalty units, imprisonment for one year, or both.

Section 50 is designed to ensure that, as the seriousness of the dog attack increases, so do the penalties for the dog's carer or keeper. This is only fair. The lasting effects of these dog attacks, not only physically but mentally, should be considered in judgement.

Finally, section 50A remains the same. When a declared dangerous dog is involved in a dog attack the punishment is a maximum of 100 penalty units, one year imprisonment, or both. The bill however adds section 50(A)(2) to the act. This section will apply when a declared dangerous dog is involved in a dog attack which causes a serious injury to a person or animal. The punishment on conviction under this section is 500 penalty units, five years imprisonment, or both. The inclusion of this section continues on the theme of the amendments that, as the seriousness of the offence increases, so do the penalties. Owners with previously declared dangerous dogs should be aware of the higher restrictions placed on dog ownership and should ensure that their dog is not involved in a dog attack.

Like all pieces of legislation, this bill, if enacted, will need to be enforced properly. I hope the strict liability provisions do not have unintended consequences. If they do, the opposition will move subsequent amendments.

In summary, the bill makes amendments which should encourage sensible and vigilant dog ownership in the ACT. Hopefully the passing of this bill will lead to a reduction of dog attacks in the territory.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Corrective Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Sport and Recreation) (4.22), in reply: I thank members for their support of this important bill today. Dog attacks are a serious problem in Australia. I was horrified to discover that the Australian Companion Animal Committee estimates that each year more than 100,000 Australians are attacked by dogs, causing injuries of various degrees of severity. Further, an estimated 12,000 to 14,000 people are treated in our public hospitals for dog bite injuries each year, costing the nation's health budget millions of dollars.

There have been more than 25 deaths attributable to dog attacks in Australia since 2000. Unfortunately the ACT has had its share of these shocking statistics, with 284 reported dog attacks or incidents of harassment in 2013.

As I outlined when I presented this bill, the Domestic Animals Amendment Bill 2014 amends the Domestic Animals Act 2000 to promote responsible dog ownership and to provide suitable penalties to act as a deterrent to dog attacks in the territory. The bill seeks to achieve this through creating new offences of a dog attacking a person or animal causing serious injury and of a declared dangerous dog attacking a person or animal causing them serious injury.

The bill also redrafts certain offences currently in the Domestic Animals Act to better reflect current drafting style and to ensure that they are compliant with both the Human Rights Act and the criminal code. The amendments in this bill create a hierarchy of dog attack offences with appropriate penalties attached. This hierarchy stretches from harassment from a dog or a minor attack, through to an attack causing serious injury, to attack by a declared dangerous dog causing serious injury. Serious penalties, including a maximum of imprisonment for five years, will apply to the latter offence. This bill aims to encourage the keepers and carers of dogs to responsibly care for their animals by increasing from \$200 to \$350 the infringement notice penalty for the current offence of a dog harassing or conducting a minor attack.

On the whole, most dogs in Canberra are well behaved and most Canberrans look after their dogs really well. But unfortunately a small minority of dog owners do not act responsibly when it comes to their pets. This bill makes it very clear, through imposing significant new penalties, that people must take responsibility for their animals. The keepers of dogs must not allow them to be in situations where they may attack people or other animals.

As I have indicated, the bill that we are considering this afternoon rewords three current offences to ensure that they are human rights and criminal code compliant. It also creates three new offences. The reworded offences from the Domestic Animals Act are an offence for the carer of a dog that attacks or harasses a person or animal, in new section 49A(1) which was previously section 50(1). The second is an offence for

the keeper of a dog that attacks or harasses a person or animal, in a new section 49A(2) which was previously section 50(2). The third is an offence for the keeper of a dangerous dog that attacks or harasses a person or animal, in section 50A(1). The new offences introduced by this bill are a new offence for the carer of a dog that attacks, causing serious injury, in section 50(1); a new offence for the keeper of a dog that attacks, causing serious injury, in section 50(2); and a new offence for the keeper of a dangerous dog that attacks, causing serious injury, in section 50A(2).

The new offences for a keeper or carer allowing a dog to attack, causing serious injury, in new section 50(1) and (2), require recklessness or intent on the part of the accused in order to prove the elements of the offence. On conviction, the maximum penalty that a court can impose for these offences is 100 penalty units, imprisonment for one year, or both.

Serious injury is defined in section 50(6) as injury endangering a person or animal's life or as a significant or longstanding injury. Members may recognise this definition of serious injury as very similar to the definition of serious harm found in the dictionary of the criminal code, adapted to account for the fact that animals as well as human beings may be injured by attacking dogs.

Section 50(3) and (4) provide certain defences for a person accused of allowing a dog to attack, causing serious injury. These defences are the dog was provoked into attacking, the dog was coming to the aid of another person or animal that it could be expected to protect, the victim was trespassing on the premises on which the dog resides or someone else was caring for the dog at the time of the attack. I note that this last defence is only available to the keeper of a dog, for example, where the keeper leaves their dog with a carer because the keeper is travelling.

The bill also contains a new offence for the keeper of a dangerous dog that attacks a person or another animal, causing serious injury. Where a dog has previously been declared dangerous, its keeper is under a particular responsibility to ensure that their dog does not cause any injury to people or other animals. People who keep dangerous dogs do so under a licence issued under section 25 of the Domestic Animals Act. Dangerous dog licenses are issued with strict conditions to ensure that the subject dogs do not pose a further danger to the community.

For a dangerous dog to be given the opportunity to attack a person or animal and cause them serious injury, it must mean that the dog's keeper has breached the conditions of their dangerous dog licence. This extra responsibility on the keepers of dangerous dogs is reflected in the strong penalty that the bill provides for the new offence of allowing a dangerous dog to attack, causing serious injury. The new offence has a maximum court-imposed penalty of 500 penalty units, imprisonment for five years, or both.

New section 50A(2)(a) provides defences that a person may access if they are accused of allowing their dangerous dog to attack, causing serious injury. These defences reflect the defences available for the new offences in section 50(1) and (2). The available defences are the victim provoked the attacking dog, the person or animal attacked or harassed, because the dog came to the aid of a person or animal the dog

could be expected to protect or the attack occurred on the premises occupied by the defendant and the victim was on the premises without lawful excuse. By way of example, this last point provides a defence to the keeper of a guard dog that attacks an intruder who enters onto private premises for an unlawful purpose. Notably, this new offence does not carry the full range of defences that new section 50(1) and (2) do.

The defence that someone else was, at the time of the offence, the carer of the dog, as is set out in new section 54, cannot be used in the case of a dangerous dog. This is because the keepers of dangerous dogs are required to ensure that their dogs are securely contained or under suitable supervision at all times.

This bill forms one part of the package of reforms related to dogs that the ACT government has recently considered. As members are no doubt aware, Canberrans love their dogs, and issues related to dogs are of particular interest to many of us. It is timely that this package of reforms be developed to provide clear guidance to the community about their responsibilities as dog owners.

As well as the bill we are considering this afternoon, the Animal Welfare Advisory Committee, or AWAC, is currently developing for my consideration a draft code of practice for the care and welfare of dogs in the ACT. I understand that AWAC will shortly be taking the draft code out to public consultation, and I anticipate much interest from the community when it does so.

The ACT government has also recently conducted a public consultation as part of its review of dog exercise areas in the ACT. The aim of this review is to find the right balance between protecting the natural environment, maintaining community enjoyment of recreational spaces, and providing sufficient space for dogs to be exercised on and off leash. This recent consultation on dog exercise areas received over 1,550 submissions from the public, making it one of the most successful community engagement activities undertaken by the ACT government. This is more evidence of the special interest that Canberrans place in dog-related issues. Following the consultation process, the Territory and Municipal Services Directorate is currently reviewing the public submissions received, with a view to producing new dog exercise area maps expected to be finalised later this year.

In conclusion, I thank members both for their recognition of the important role that dogs play in the lives of many Canberrans and also for their concern for the damage that dog attacks can do to members of the community. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Health, Ageing, Community and Social Services—Standing Committee

Statement by chair

DR BOURKE (Ginninderra): Pursuant to standing order 246A I wish to make a statement on behalf of the Standing Committee on Health, Ageing, Community and Social Services.

At a private meeting on 31 July 2014 the committee resolved to conduct an inquiry into the sourcing and supply of dental prostheses and appliances to Australian dental practitioners from overseas. The supply of dental prostheses and appliances from overseas dental technicians to the Australian dental profession is increasing. A result has been a drop in demand for such appliances from Australian technicians, including long-established and highly competent technicians in the ACT. This trend has been the subject of comment and some observations which have also highlighted the uncertain degree of regulatory and quality control exercised in Australia over the importation of these devices.

The standing committee will take this opportunity to examine the current regulatory and standards regime which applies to this very important area of dental health and provide recommendations about issues which it considers need assessment and action by authorities responsible for this area of health administration.

The committee has adopted the following terms of reference:

To inquire into and report on:

- The sourcing of dental prostheses and appliances from overseas makers by Australian dental practitioners;
- growth in sourcing supply of dental prostheses and appliances since 2009 and the reasons for growth in sourcing and supply;
- the current level and anticipated future of dental prostheses and appliances provided to dental practitioners in the ACT;
- adequacy of current Australian regulatory arrangements and requirements governing the sourcing and supply of dental prostheses and appliances from overseas;
- whether appropriate standards and regulations governing the sourcing and supply of dental prostheses and appliances from overseas are in force in Australia;
- whether dental patients and consumers are aware, or are made aware by practitioners, of the source and supply details of dental prostheses and appliances provided in Australia;
- experiences and relevant regulatory arrangements for dental prostheses and appliances sourced and supplied from overseas in other jurisdictions, such as the UK, US, New Zealand and Canada; and
- any other related matter.

The committee has already called for public submissions to the inquiry.

Adjournment

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

That the Assembly do now adjourn.

Canberra Southern Cross Club

MR COE (Ginninderra) (4.35): I rise this evening to talk about the Canberra Southern Cross Club. The club is a not-for-profit organisation which first opened in Canberra in August 1972. Since that time the club has opened a further three clubs in Canberra, as well as a number of gyms and recreational centres. The club also operates a boat, the *MV Southern Cross*, which provides sightseeing, educational and dining cruises.

Many members would have visited one of the four Southern Cross clubs in Canberra and would be aware of the excellent services and facilities they provide. For many years the club has served as a meeting place for Canberrans, whether that is through private functions, concerts and performances, or casual dining. The club also holds many public functions, such as the upcoming Melbourne Cup Day lunch, as well as hosting free movie screenings at their Woden, Tuggeranong and Jamison clubs during the school holidays.

Potentially the club's most notable facility is the Southern Cross Stadium in Tuggeranong. This stadium was used by the Canberra Capitals to help them win six National Basketball League titles between 1999 and 2009, and also played host to the Capitals' incredible 26-game winning streak between 2005 and 2009. Nowadays the Canberra Roller Derby League uses the stadium, with a double header taking place this very weekend.

Outside their facilities, the club also plays a large role in the community. The club does this by supporting a range of social programs which foster family values and are in keeping with Christian standards. Since opening, the club has contributed over \$13 million back to the community, including a total contribution of \$1.45 million last year to sporting clubs, social clubs and community groups. These contributions are made through the club's annual community support grant, which provides grants of up to \$5,000 to not-for profit organisations that provide welfare and charitable services in Canberra and its surrounding regions.

Finally, I would like to thank the club's board of directors for the great work that they do. They are: the chief executive officer, Ian Mackay; the chief financial officer, Carol Sawyer; the president, John Lewis; the senior vice-president, Simon Plummer; the vice-presidents, Kim Marshall and Bob Lloyd; and the directors, Paul Rollings, Chris Behrens, Mary Laughlin, David Grimmond, Paula Jones, and Jack Rice.

I commend the work of the Canberra Southern Cross Club to the Assembly. For more information on the club, including their upcoming events and the facilities they provide, I encourage all members to visit their website at www.csccl.com.au.

Scouting movement

DR BOURKE (Ginninderra) (4.37): Like many Canberra parents, I have the pleasure of having a young Scout in the family and serving as a volunteer office holder, in my daughter's old Scout group, 1st Aranda, in Belconnen.

I was taken back to that time and reminded of the diversity of the Scouting movement recently when I had the pleasure of helping to open the newly renovated Ainslie Scout hall. It is reborn as the hall for Les Explorateurs Scout Group, who have conducted their Scouting activities in French for the last three years. For example, after the opening there was a Les Petites Lutins, or "Joey Scout", investiture. What a fantastic way to learn a language or reinforce it—through a range of Scout adventures. Les Explorateurs is one of four language-based Canberra Scout groups, the others being German, Chinese and Spanish speaking groups.

There are over 66,000 Scouts in Australia, including around 2,000 Canberra Scouts—boys, girls and youths, aged between six and 25. A fair share of them are in the six Belconnen Scout groups.

The Southwell Scout Group is in Page, and the Mount Rogers Scout Group is in Charnwood. Mount Rogers, apart from being designated "Mountain Scouts", has for some years hosted the rehearsals for the Canberra Gang Show. The show, held in July, requires months of rehearsals by up to 200 Scouts, Venturers and Girl Guides from across Canberra. The show has been running in Canberra each year since 1966. You may know that the Gang Show Scouts reprised this year's show at Floriade on Saturday.

The Kama Scout Group in Macquarie has over 40 years of serving the community. Like other Scout groups that have waxed and waned as the suburbs have aged, the Kama group has grown—from the joining of 1st Cook Pack (Cubs), later named the Mount Painter Troop, and named 1st Macquarie, in 1980.

The Diamantina Scouts are recognisable in their distinctive orange scarves. They have been based at Kaleen high school since, sadly, their old hall was burned down in November 2010. However, Scouts are resilient, and the Diamantina Scout Group are busily fundraising to rebuild and equip a new hall. Businesses, individuals, Scouts ACT and Kaleen high are chipping in to help. Unfortunately, asbestos in the old building set the costs of demolition beyond what was covered by the insurance. They are hoping to have the new hall completed in about a year, but still have about \$40,000 to raise if they are to replace everything.

The Crowajingalong Scout Group in Evatt is better known as the Crows. They recently held their end-of-term Christmas in July party at Palmerville Heritage Park.

The Lake Ginninderra Sea Scouts have a well-stocked boatshed near the old water police station. They have a range of sailboats and canoes that they share with the other Ginninderra Scout groups. Since 2008 the Lake Ginninderra Sea Scout Venturers have been regularly travelling to a seaside village in Lombok, Indonesia, to work on

community development projects. The Ginninderra Scout groups regularly work together on a range of projects and get-togethers, including the joeys' annual Ginninderra Mob Region Riot.

All Canberra Scout groups get together at times and share the great Cottermouth campground and training base on the Cotter Road. The new Shakespeare Centre has arisen from the ruins of the January 2000 bushfires to be a modern, purpose-built complex that includes accommodation for around 100 and conference facilities for hire.

Scouting in Canberra is strong and diverse, giving our youth the chance to grow through new challenges, new friends, taking responsibility for themselves and exploring their own abilities and interests.

Canberra Lions clubs

MRS JONES (Molonglo) (4.41): Recently I had the pleasure of visiting the Canberra Lions clubs' new youth accommodation centre, Westwood Lodge, at the Lions Youth Haven property on Kambah Pool Road. Lions clubs in Canberra have been doing great work in our local communities for decades, and the new Youth Haven accommodation centre is just the newest way in which they are getting involved and supporting those in need. I toured the facility and was shown around by Beverly von Stein, the leader of the zone 7 area; Tom Anderson; and Chris Howard, the zone 8 area leader.

The new 70-bed Youth Haven facility will be used primarily to house sporting teams or school groups which will then be able to use the 200 hectares of farmland for activities. All money raised by Youth Haven will go towards the work that the Lions clubs do in supporting children in need here in Canberra. I think it is a truly creative and unique initiative to raise money. It is fully in line with the goals of the Lions clubs and is sure to be a great success. I am told that Youth Haven has already had groups place bookings for over 1,000 nights, and I am sure that there will continue to be many more bookings in the future as more people find out about the facility.

I had the pleasure of meeting with Tom Anderson, who is well known in Canberra for his community work, both with the Lions clubs and with the Weston Creek centre. Tom is a truly great member of our community, and Canberra is a much better place because of all his hard work and the work of all Lions members.

I would like to thank everybody else involved with Lions clubs who helped set up this great new accommodation centre and who volunteer their time with Lions clubs to help children in need.

Question resolved in the affirmative.

The Assembly adjourned at 4.43 until Tuesday, 23 August 2014, at 10 am.

Answers to questions

Crime—parole and periodic detention (Question No 272)

Mr Hanson asked the Attorney-General, upon notice, on 7 May 2014 (*redirected to the Minister for Corrective Services*):

In relation to the Sentence Administration Board (SAB), and noting that the annual reports from the SAB are inconsistent or incomplete concerning the following data, could the Minister please provide or advise:

- (1) the number of parolees and paroles automatically cancelled as a consequence of re-offence;
- (2) the number of periodic detention (PD) prisoners with PD automatically cancelled as a consequence of re-offence;
- (3) in each of the past eight years, what are the number of:
 - (a) applications for parole from prisoners;
 - (b) parole applications rejected subject to section 122(2)(a) of the Crimes (Sentence Administration) Act 2005 (CSA Act);
 - (c) parole orders;
 - (d) parole ordered refused;
 - (e) parole orders made (i) without hearing, and (ii) on hearing;
 - (g) parole hearings;
 - (h) orders being refused at hearing;
 - (i) breaches of parole reported;
 - (j) parolees arrested by police having breached or suspected of breaching parole;
 - (k) breaches of parole considered by the SAB resulting in (i) no further action, (ii) warning, (iii) advice to Director-General, (iv) changing parole conditions, and (v) cancellation of parole;
 - (l) breaches of periodic detention (PD);
 - (m) PD breaches arrested by police having breached or suspected of breaching PD;
 - (n) PD breach hearings considered by the SAB under (i) section 66, and (ii) section 73 of the CSA Act;
 - (o) occasions where the SAB issued warrants to require a PD prisoner to appear before the SAB; and
 - (p) breaches of PD considered by the SAB resulting in (i) no further action, (ii) warning, (iii) advice to Director-General, (iv) changing PD conditions, (v) suspend PD, and (v) cancellation of PD;

- (4) reviews by the SAB of offenders under license under section 306 of the CSA Act; and
- (5) whether all cancellations of parole or PD automatically resulted in return to full time prison and, if not, the circumstances where this was not the case.

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

The Sentence Administration Board has advised that the answers to specific questions for the 2012-13 financial year are below. Data for 2013-14 will be available in the Sentence Administration Board Annual Report which is published as an annexure to the 2013-14 Justice and Community Safety (JACS) Annual Report.

- (1) For the 2012 – 2013 financial year 2 parole orders were cancelled as a consequence of re-offence.
- (2) For the 2012 – 2013 financial year 2 periodic detention orders were cancelled as a result of re-offence.
- (3) The Sentence Administration Section, which provides support to the Sentence Administration Board, has identified a number of inconsistencies and inaccuracies in the data reported in the Sentence Administration Board Annual Reports. These data issues can be mainly attributed to changes in counting methodologies, changes in what was reported on in different years by different Sentence Administration Board Chairs but also due to errors in counting.

A table with correct historic data is provided at *Attachment A* (and will also be included in the 2014-15 JACS Annual Report).

The Member's question asked that information be provided for the last eight years. As such, the Member will note that data for six years has been provided and that the 2005-06 and 2006-07 financial years have been omitted. Prior to 2007-08 the Sentence Administration did not record these figures in an automated fashion, as was available for subsequent years.

Any effort to retrospectively obtain and collate the figures requested in the Member's question would place an unreasonable time and resource impost on ACT Corrective Services. I can only refer the Member to data available in the 2005-06 and 2006-07 Annual Reports.

The powers of the Sentence Administration Board, as detailed in Chapters 7 and 8 of the *Crimes (Sentence Administration) Act 2005* are complex and it is difficult to report against these in a simple way. It is important to note that various powers under these Chapters may be enacted concurrently. The Member will note a number of references within the Attachment which are included to explain instances where this may occur.

The responses to parts 3(j) and 3(m) are based on the SAB information. Any further questions about the execution of warrants should be directed to ACT Policing through the Attorney-General.

- (4) Data for the previous six years is provided at table 2 of Attachment A.

- (5) All cancellations of **periodic detention** orders result in the offender being imprisoned full time to serve the time remaining on his or her sentence as at the date of cancellation. There is no parole available for an offender cancelled for breach of periodic detention.

In regard to cancellation of **parole**, not all will result in return to full time custody. While the default position will be that the offender will return to full-time imprisonment, and this is what happens in almost all cases, in a small number of cases, where the SAB is of the view that a return to full-time custody would be a disproportionate response in the particular circumstances and detrimental to rehabilitation, the SAB may deal with a fresh parole application immediately and may grant parole on the same day that parole has been cancelled.

(A copy of the attachment is available at the Chamber Support Office).

Housing—property values (Question No 307)

Mr Coe asked the Treasurer, upon notice, on 7 August 2014:

What was the average percentage increase in UAV and AUV for each of the last four financial years, including 2014-15, for (a) single dwellings and (b) units in the suburbs/areas of (i) Amaroo, (ii) Aranda, (iii) Belconnen, (iv) Bonner, (v) Bruce, (vi) Casey, (vii) Charnwood, (viii) Cook, (ix) Crace, (x) Dunlop, (xi) Evatt, (xii) Florey, (xiii) Flynn, (xiv) Forde, (xv) Franklin, (xvi) Fraser, (xvii) Giralang, (xviii) Gungahlin, (xix) Hall, (xx) Harrison, (xxi) Hawker, (xxii) Higgins, (xxiii) Holt, (xxiv) Kaleen, (xxv) Macgregor, (xxvi) Macquarie, (xxvii) McKellar, (xxviii) Melba, (xxix) Ngunnawal, (xxx) Nicholls, (xxxi) Page, (xxxii) Palmerston, (xxxiii) Scullin, (xxxiv) Spence, (xxxv) Weetangera and (xxxvi) West Macgregor.

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

The tables below show the average percentage change in the Average Unimproved Values (AUV) and Unimproved Values (UV) for houses and units by suburb over the period 2011-12 to 2014-15.

Note: Data for West Macgregor was not available.

Houses								
	2011-12		2012-13		2013-14		2014-15	
	UV	AUV	UV	AUV	UV	AUV	UV	AUV
AMAROO	20%	13%	0%	10%	-3%	5%	0%	-1%
ARANDA	19%	10%	0%	8%	0%	6%	9%	3%
BELCONNEN	25%	17%	0%	13%	-2%	6%	0%	-1%
BONNER	2%	2%	7%	4%	-2%	1%	-4%	0%
BRUCE	5%	4%	3%	7%	1%	2%	2%	1%
CASEY	0%	0%	13%	8%	4%	3%	0%	3%
CHARNWOOD	10%	11%	0%	10%	0%	3%	0%	0%
COOK	24%	15%	0%	12%	-2%	6%	0%	-1%

CRACE	9%	12%	20%	17%	2%	4%	4%	3%
DUNLOP	5%	6%	0%	4%	10%	5%	-2%	2%
EVATT	10%	8%	0%	6%	0%	3%	-3%	-1%
FLOREY	19%	13%	0%	12%	-3%	4%	1%	-1%
FLYNN	11%	9%	0%	8%	-1%	3%	-3%	-2%
FORDE	4%	4%	5%	4%	0%	3%	4%	3%
FRANKLIN	20%	10%	10%	11%	5%	11%	2%	5%
FRASER	5%	8%	2%	8%	0%	2%	0%	1%
GIRALANG	10%	9%	0%	8%	3%	4%	0%	1%
GUNGAHLIN	19%	10%	5%	11%	0%	7%	0%	2%
HALL	12%	6%	0%	5%	0%	4%	0%	0%
HARRISON	10%	8%	10%	8%	0%	5%	1%	3%
HAWKER	20%	12%	0%	9%	0%	6%	-3%	-1%
HIGGINS	25%	14%	0%	11%	0%	7%	2%	1%
HOLT	20%	11%	0%	10%	1%	6%	-2%	0%
KALEEN	10%	10%	0%	8%	0%	3%	4%	1%
MACGREGOR	2%	3%	0%	4%	4%	3%	0%	1%
MACQUARIE	25%	12%	0%	11%	3%	8%	0%	1%
MCKELLAR	12%	8%	10%	11%	0%	7%	-4%	2%
MELBA	10%	8%	5%	9%	0%	5%	-3%	1%
NGUNNAWAL	10%	10%	6%	9%	8%	9%	0%	4%
NICHOLLS	19%	11%	0%	9%	-5%	4%	0%	-2%
PAGE	20%	12%	0%	11%	0%	6%	0%	0%
PALMERSTON	10%	10%	5%	10%	0%	5%	0%	2%
SCULLIN	25%	12%	0%	11%	0%	7%	0%	0%
SPENCE	10%	10%	3%	9%	0%	4%	-2%	0%
WEETANGERA	22%	11%	0%	10%	6%	9%	-4%	1%

Units								
	2011-12		2012-13		2013-14		2014-15	
	UV	AUV	UV	AUV	UV	AUV	UV	AUV
AMAROO	25%	12%	0%	11%	2%	8%	0%	1%
ARANDA	20%	11%	0%	9%	2%	6%	7%	3%
BELCONNEN	18%	11%	0%	10%	4%	6%	0%	1%
BONNER	0%	0%	0%	0%	1%	0%	0%	0%
BRUCE	17%	10%	-1%	8%	4%	6%	0%	1%
CASEY	10%	5%	-9%	1%	0%	0%	0%	-3%
CHARNWOOD	19%	12%	0%	11%	2%	6%	0%	1%
COOK	20%	12%	0%	11%	5%	8%	0%	2%
CRACE								
DUNLOP	18%	11%	0%	9%	2%	6%	0%	1%
EVATT	14%	9%	0%	7%	2%	5%	-1%	0%
FLOREY	20%	12%	0%	11%	4%	7%	0%	1%
FLYNN	17%	11%	0%	10%	1%	6%	-2%	0%
FORDE	11%	5%	-9%	2%	0%	0%	0%	-3%
FRANKLIN	16%	8%	1%	4%	-10%	2%	0%	-2%
FRASER	15%	11%	1%	9%	0%	5%	0%	0%

GIRALANG	18%	11%	0%	10%	4%	7%	0%	1%
GUNGAHLIN	20%	10%	1%	10%	0%	6%	1%	1%
HALL	10%	3%	0%	3%	5%	5%	0%	2%
HARRISON	10%	5%	2%	5%	0%	4%	0%	1%
HAWKER	19%	12%	0%	10%	4%	7%	0%	1%
HIGGINS	22%	12%	0%	11%	4%	8%	0%	1%
HOLT	20%	12%	0%	11%	4%	7%	0%	1%
KALEEN	14%	11%	0%	9%	2%	5%	2%	1%
MACGREGOR	16%	17%	0%	7%	1%	5%	0%	0%
MACQUARIE	19%	13%	0%	10%	3%	6%	0%	1%
MCKELLAR	20%	12%	0%	11%	5%	8%	0%	2%
MELBA	19%	12%	0%	11%	4%	7%	0%	2%
NGUNNAWAL	24%	12%	0%	11%	5%	9%	0%	2%
NICHOLLS	25%	12%	0%	11%	3%	8%	0%	1%
PAGE	18%	12%	0%	10%	4%	7%	0%	1%
PALMERSTON	24%	12%	0%	11%	5%	9%	0%	2%
SCULLIN	20%	12%	0%	11%	4%	8%	0%	1%
SPENCE	6%	7%	3%	7%	0%	4%	-1%	1%
WEETANGERA	23%	15%	0%	9%	4%	7%	-1%	1%

ACTION bus service—patronage (Question No 310)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 7 August 2014:

- (1) What is the average number of ACTION passengers per day, who at some point, travelled along Northbourne Avenue on an ACTION bus for the period from 1 May 2014 to 31 July 2014, excluding weekends.
- (2) In relation to the number referred to in part (1), how is this broken by the travel times of (a) 6am-9am, (b) 9:01am-12 noon, (c) 12:01pm-3pm, (d) 3:01pm-6pm, (e) 6:01pm-9pm and (f) 9:01pm-12 midnight.

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

- (1) The average number of passengers per day travelling on Northbourne Avenue for the time period of 1 May 2014 to 31 July 2014 was 7,996.
- (2) The following is the average number of passengers per day travelling on Northbourne Avenue by the requested travel times:

Time period	Average Passengers On Board Northbourne Ave
6am - 9am	2,570
9:01am - 12 noon	882
12:01pm - 3pm	967
3:01pm - 6pm	2,707
6:01pm - 9pm	652
9:01pm - 12 midnight	218

**ACTION bus service—patronage
(Question No 311)**

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 7 August 2014:

What is the average numbers of passengers who travel each direction, from 3 February 2014 and excluding weekends, broken down by (a) morning peak, (b) day off-peak, (c) afternoon peak and (d) night off-peak on the ACTION routes of (i) 2, (ii) 3, (iii) 4, (iv) 5, (v) 6, (vi) 7, (vii) 8, (viii) 9, (ix) 10, (x) 30, (xi) 31, (xii) 39, (xiii) 50, (xiv) 51, (xv) 56, (xvi) 57, (xvii) 58 (xviii) 59, (xix) 80, (xx) 81, (xxi) 82, (xxii) 111, (xxiii) 160, (xxiv) 161, (xxv) 162, (xxvi) 200, (xxvii) 265, (xxviii) 267 and (xxix) 300.

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

- (1) The average number of passengers travelling in each direction for the nominated routes and nominated time periods is as follows:

Daily Average Patronage - Northbound					
Route	Morning Peak	Day Off-Peak	Afternoon Peak	Night Off-Peak	Total
2	234	535	345	160	1274
3	166	443	259	88	956
4	95	245	76	50	466
5	183	300	77	59	619
6	122	243	163	97	625
7	92	275	133	66	566
8	15	58	66	48	187
9	38	41	15	12	106
10	53	336	297	123	809
30	63	172	198	97	530
31	50	132	84	84	350
50	0	0	0	148	148
51	66	159	283	74	582
56	135	246	186	85	652
57	31	103	108	82	324
58	122	185	147	116	570
59	70	186	253	45	554
80	87	100	66	16	269
82	0	2	2	0	4
111	214	4	0	0	218
160	90	0	0	0	90
161	30	0	0	0	30
162	97	0	0	0	97
200	201	808	415	229	1653
265	32	0	0	0	32
267	48	0	0	0	48
300	268	109	117	534	1028

Daily Average Patronage - Southbound					
Route	Morning Peak	Day Off-Peak	Afternoon Peak	Night Off-Peak	Total
2	422	621	176	70	1289
3	218	459	155	89	921
4	90	215	95	45	445
5	139	298	120	67	624
6	218	250	116	64	648
7	175	313	70	37	595
8	74	85	18	8	185
9	13	42	32	23	110
10	370	394	77	43	884
30	241	234	80	43	598
31	100	140	55	37	332
50	0	0	0	42	42
51	299	189	53	21	562
56	232	264	126	67	689
57	135	98	41	10	284
58	198	169	121	63	551
59	188	136	59	29	412
80	75	80	67	31	253
82	0	0	3	1	4
111	0	0	100	26	126
160	0	0	58	11	69
161	0	0	26	0	26
162	0	1	49	20	70
200	776	996	224	63	2059
265	0	0	27	10	37
267	0	0	38	11	49
300	304	94	264	366	1028

Unlike all other routes requested, the routes 81 and 39 share a common origin and termination point, e.g. the City Bus Station, which makes them loop services. Because of this, the reporting system does not identify distinct directions of travel.

Daily Average Patronage - Loop Services					
Route	Morning Peak	Day Off-Peak	Afternoon Peak	Night Off-Peak	Total
39	180	716	487	358	1741
81	0	38	2	0	40

ACTION bus service—patronage (Question No 312)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 7 August 2014:

- (1) Can the Minister provide an overall breakdown of patronage and farebox revenue for ACTION services for July 2014.

- (2) Can the Minister provide a breakdown of patronage and revenue by route and by number for ACTION services for July 2014.

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

- (1) The patronage and fare box revenue for the ACTION commuter network in July 2014 was:

	Patronage	Fare box Revenue
July 2014	1,305,304	\$ 1,901,361.08

- (2) The patronage and fare box revenue for the ACTION commuter network in July 2014 by route number was:

Route	Patronage	Fare box Revenue
10	36,908	\$51,731.71
11	14,886	\$18,651.72
111	7,392	\$14,785.48
12	594	\$735.89
13	699	\$728.60
14	836	\$834.38
15	1,388	\$1,221.65
16	10,409	\$12,397.00
160	3,500	\$6,851.49
161	1,266	\$2,950.43
162	3,645	\$7,208.24
17	13,141	\$13,818.07
18	407	\$340.85
19	402	\$384.67
2	56,296	\$79,337.08
200	80,802	\$130,019.82
21	3,296	\$3,081.09
22	3,302	\$3,604.82
225	3,647	\$6,375.94
226	2,593	\$4,279.02
227	2,366	\$3,785.27
23	5,439	\$6,278.28
24	5,379	\$5,912.88
25	5,911	\$6,540.55
26	6,611	\$7,437.89
265	1,577	\$2,909.70
267	2,130	\$3,871.72
27	10,897	\$11,465.81
28	7,653	\$9,951.79
3	41,583	\$60,601.18
30	24,504	\$38,562.56
300	43,402	\$66,730.44
31	14,698	\$22,584.30
312	55,550	\$76,659.78
313	54,975	\$75,324.18
314	45,825	\$64,958.93
315	45,001	\$64,147.63

318	56,104	\$80,280.12
319	66,566	\$93,756.82
39	33,474	\$52,982.95
4	19,875	\$27,137.73
43	9,529	\$12,239.37
44	8,822	\$11,079.91
45	6,629	\$7,845.25
5	27,609	\$38,995.84
50	4,156	\$5,271.30
51	25,400	\$42,091.52
52	20,374	\$31,498.03
55	9,880	\$12,432.51
56	28,984	\$44,801.74
57	13,128	\$20,674.26
58	24,451	\$36,423.10
59	20,475	\$33,329.35
6	28,409	\$43,832.74
60	8,515	\$10,830.85
61	7,301	\$9,579.76
62	7,961	\$9,831.73
63	10,219	\$14,213.91
64	7,271	\$9,445.92
65	9,605	\$11,924.91
66	9,935	\$13,503.83
67	8,131	\$10,256.02
7	24,699	\$33,701.56
701	3,543	\$8,312.21
702	2,735	\$6,337.14
703	8,841	\$20,621.07
704	2,187	\$5,383.49
705	3,889	\$7,861.42
71	1,571	\$1,870.04
710	4,481	\$9,454.52
720	3,252	\$7,992.66
729	2,193	\$5,422.93
73	271	\$237.15
732	2,328	\$5,913.71
737	1,723	\$2,895.24
74	235	\$223.17
749	2,979	\$6,150.40
75	344	\$357.42
757	2,056	\$4,040.12
76	242	\$165.26
768	1,715	\$4,111.22
769	2,874	\$6,628.35
77	47	\$49.01
770	1,770	\$4,077.25
785	2,513	\$6,157.97
786	254	\$476.51
787	1,400	\$3,431.23
788	2,163	\$5,228.42
8	8,058	\$12,561.29

80	12,100	\$18,932.23
81	276	\$308.19
82	197	\$249.42
88	125	\$155.69
9	4,822	\$6,709.18
900	34,993	\$41,643.29
902	1,258	\$1,399.99
903	1,866	\$2,037.05
904	1,319	\$1,554.61
905	2,784	\$3,377.47
906	1,233	\$1,386.95
907	1,276	\$1,394.00
912	466	\$576.80
913	770	\$966.98
914	687	\$806.85
915	530	\$674.37
921	217	\$219.18
922	238	\$199.32
923	316	\$325.99
924	372	\$429.88
925	1,330	\$1,403.36
927	1,768	\$1,782.24
930	384	\$465.14
931	511	\$582.28
932	5,672	\$7,500.98
934	4,989	\$6,605.41
935	2,159	\$2,755.93
936	2,290	\$2,811.01
937	2,082	\$2,314.44
938	4,773	\$6,380.80
939	3,072	\$4,167.30
942	2,421	\$3,058.92
951	5,518	\$7,839.34
952	6,033	\$7,938.58
955	693	\$836.03
956	3,143	\$4,136.64
958	2,028	\$2,567.27
960	1,158	\$1,402.79
961	472	\$552.56
962	1,115	\$1,367.75
964	515	\$568.11
966	597	\$658.01
967	496	\$664.92
968	342	\$460.45
980	5,451	\$7,639.75
981	333	\$531.45
982	25	\$25.02
988	13	\$16.09
Total	1,305,304	\$ 1,901,361.08

ACT Supreme Court—workload (Question No 314)

Mr Hanson asked the Attorney-General, upon notice, on 14 August 2014:

- (1) How many (a) permanent, (b) acting and (c) additional judges sat to hear matters in the ACT Supreme Court in the (i) 2010-11, (ii) 2011-12, (iii) 2012-13 and (iv) 2013-14 financial years.
- (2) How many days sitting in court were undertaken in the ACT Supreme Court by (a) permanent, (b) acting and (c) visiting judges in the financial years referred to in part (1).
- (3) How many days outside the court were taken working on ACT Supreme Court matters by (a) acting and (b) visiting judges in the financial years referred to in part (1).
- (4) What was the average length of time taken to deliver reserve judgements in the ACT Supreme Court by (a) permanent, (b) acting and (c) visiting judges in the financial years referred to in part (1).
- (5) What was the total cost of remuneration or other payments made to (a) permanent judges of the ACT Supreme Court, (b) acting judges of the ACT Supreme Court and (c) visiting judges to the ACT Supreme Court in the financial years referred to in part (1).
- (6) How many (a) civil and (b) criminal matters were (i) commenced and (ii) concluded in the ACT Supreme Court in the financial years referred to in part (1).
- (7) How many of the civil matters commenced were referred to the Federal Court of Australia in the financial years referred to in part (1).
- (8) What was the quantum of administrative costs charged by the Federal Court of Australia to the ACT in relation to referred civil matters in the financial years referred to in part (1).

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

- (1) The number of judges who sat to hear matters was:

Supreme Court Sitting Judges – Full-Time Equivalent¹				
	2010-11	2011-12	2012-13	2013-14
Permanent Judges	3.8	3.6	3.9	3.7
Acting Judges	0.7	0.3	0.8	0.3
Visiting Judges	0.3	0.2	0.4	0.3

The Full Time Equivalent can be impacted by periods between retirement of one judicial officer and the appointment of another. Therefore while the ACT Supreme Court has a bench of four judges, the FTE has been lower than 4 for the past 4 financial years.

- (2) The number of court sitting days in the ACT Supreme Court² was:

Supreme Court Sitting Days – Judges ³				
	2010-11	2011-12	2012-13	2013-14
Permanent Judges	492	556	545	570
Acting Judges	166	54	175	47
Visiting Judges	40	69	46	32
Total	698	679	766	649

(3) The Court does not record data on how many days outside the court are taken working on ACT Supreme Court matters. This is a matter for individual judicial officers.

(4) The Court does not have the resources to undertake the requested calculations. The Supreme Court judiciary, who possess the records regarding the reserved judgments, have provided the following data:

2013-14: As at 30 June 2014 there were 56 reserved judgments⁴, 20 of which were Court of Appeal matters.

Of those reserved judgments:

- 12 judgments had been reserved for more than 3 months and less than 6 months.
- 10 judgments had been reserved for over 6 months.

The oldest reserved judgment had been reserved for 10 months

2012-13: As at 30 June 2013, excluding the reserved judgments of Master Harper (who retired during this period with a substantial number of reserved judgments), there were 56 reserved judgments (including 13 Court of Appeal).

Of those reserved judgments:

- 10 judgments had been reserved for more than 3 months and less than 6 months.
- 22 judgments had been reserved for over 6 months.

The oldest reserved judgment had been reserved for 4 years 8 months

¹ These figures exclude the Eastman Inquiry. Figures vary from published ROGS results as counting rules are different ROGS. Figures do not include Master or Registrar resources.

² Sitting days are calculated as days when the Court sits for more than one hour.

³ These figures exclude the Eastman Inquiry, and 4 days taken by the retired Justice Gallop in 2011 to finalise an outstanding matter.

⁴ This excludes the 2 reserved judgments of retired Master Harper.

2012: No central record of reserved judgments was kept as at June 2012, but there are approximate figures for the end of July 2012.

As at 31 July 2012, there were approximately 90 reserved judgments, of which 16 were Court of Appeal matters.⁵

Of those reserved judgments:

- 32 judgments had been reserved for more than 3 months and less than 6 months.
- 56 judgments had been reserved for over 6 months.

The oldest reserved judgment had been reserved for 3 years 7 months.

Pre-2012: No reliable records are readily accessible.

- (5) The total cost of remuneration and other payments for judges includes items such as salary, vehicle and travel expenses with associated fringe benefits tax, and an accrual amount for long service leave. Over the years indicated, judicial salaries have risen in line with determinations of the Remuneration Tribunal, however some other costs have decreased⁶.

Total cost of remuneration and other payments made to judges of the ACT Supreme Court⁷				
	2010-11	2011-12	2012-13	2013-14
Permanent Judges	2,065,093	2,184,796	1,988,425	1,914,738
Acting Judges	462,089	151,251	536,356	267,258
Visiting Judges	42,519	64,135	59,922	48,989

One acting judge provided mediation services during the Civil Mediation Pilot. This Pilot identified matters that were appropriate for mediation. The mediation was paid for by the parties.

Visiting judges are mainly utilised in Court of Appeal cases, which require a full bench of 3 judges per matter, or on appeal matters. The sums provided above are attributable to travel and accommodation costs, as no salaries are paid to visiting judges.⁸

- (6) The following data relates to appeal and non-appeal matters in the ACT Supreme Court.

SUPREME COURT – MATTERS IN CIVIL JURISDICTION				
	2010-11	2011-12	2012-13	2013-14
Lodged	814	636	560	630
Finalised	1037	1063	862	667
SUPREME COURT – MATTERS IN CRIMINAL JURISDICTION				
	2010-11	2011-12	2012-13	2013-14
Lodged	363	395	284	380
Finalised	384	397	441	367

⁵ This figure includes the reserved judgments of Master Harper, as it pre-dates his retirement.

⁶ For example, travel costs have decreased by 75% between 2010-11 and 2013-14.

⁷ Does not include the cost of judicial staff or other administration related costs. Also not included is data related to the Master or Registrar, who deal with a large number of civil matters, and the Eastman Inquiry.

⁸ The costs of staff for visiting judges has not been included.

(7) The number of Civil matters transferred to the Federal Court was:

- | | | |
|------|----------|------------------------------------|
| i. | 2010-11: | Information not readily available. |
| ii. | 2011-12: | Information not readily available. |
| iii. | 2012-13: | 4 |
| iv. | 2013-14: | 1 |

(8) The ACT Law Courts do not refer matters to the Federal Court. If a party wishes to transfer their matter to the Federal Court, they make a cross-vesting application. As a result, there are no administrative costs charged by the Federal Court of Australia to the ACT in relation to referred civil matters.

Capital works—projects (Question No 315)

Mr Coe asked the Treasurer, upon notice, on 14 August 2014:

- (1) What was the final cost for (a) Enlarged Cotter Dam, (b) M2G Pipeline, (c) Cotter Pump Station, (d) Tantangara Transfer and (e) all other associated projects.
- (2) On what dates were the assets listed in part (1) handed over to the Government as complete projects.
- (3) How much money has the Government spent on capital works for each project listed in part (1) following the asset being handed over to the Government.
- (4) What is the actual or expected (a) capital and (b) recurrent costs for each project listed in part (1) for (i) 2013-14, (ii) 2014-15, (iii) 2015-16 and (iv) 2016-17.
- (5) How much money has the Government spent on treating cracks or failures associated with each of the projects listed in part (1) in (a) 2013-14 and (b) 2014-15 to date.

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

- (1) Refer to attached table for response.
- (2) The assets listed in part (1) have not been handed over to the Government. The assets are owned by the ACTEW Corporation Limited and were handed over by the Bulk Water Alliance on the dates indicated in the table attached.
- (3) The Government has not appropriated any funds for these projects.
- (4) Refer to attached table for response.
- (5) The Government has not appropriated any funds for these projects.

(A copy of the attachment is available at the Chamber Support Office).

**Capital Metro Agency—pop-up information centre
(Question No 317)**

Mr Coe asked the Minister for Capital Metro, upon notice, on 14 August 2014:

- (1) What was the total cost of (a) establishing, (b) staffing, (c) maintaining and (d) occupying the Capital Metro pop-up information centre located at 2 Mort Street in the City Walk Arcade.
- (2) In relation to the information centre, what was the total cost of (a) renting the room, (b) purchasing and installing the carpet for the room, (c) purchasing, applying and removing the stickers for the glass windows, (d) purchasing and installing the billboard entitled *A day in the life of Capital Metro* on the back wall of the information centre, (e) purchasing and installing the large orange sign outside the information centre which promoted the information centre (which was affixed to the pole which read *City Walk Centre*), (f) purchasing and installing the large red sign inside the information centre which promoted the Capital Metro colouring competition, (g) purchasing the white table and two chairs used to facilitate the Capital Metro colouring competition, (h) purchasing any pencils, crayons and pens used for the Capital Metro colouring competition, (i) purchasing the orange feedback box which was located inside the information centre, (j) purchasing the black cabinet which was located inside the information centre, (k) purchasing the black podium which was located inside the information centre, (l) purchasing the two black stools which were located inside the information centre, (m) purchasing, installing and maintaining the Ipad inside the information centre and (n) purchasing, installing and maintaining the television located inside the information centre.
- (3) From what dates was the information centre rented to the ACT Government or Capital Metro Agency.
- (4) What quantities were purchased of the items referred to in parts (2)(d), (2)(e), (2)(f) and (2)(i).

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

- (1)
 - (a) \$29,848.63 GST exclusive.
 - (b) A member of the Capital Metro Agency Communications and Stakeholder Engagement team was in attendance at the information centre at all times. This was a business as usual arrangement, done in half day shifts. A junior officer, via a recruitment agency was engaged for the final three weeks of the six week consultation session for a total charge of \$5,771.93.
 - (c) There was no maintenance fee associated with the pop up shop.
 - (d) The pop up shop was provided rent free.
- (2)
 - (a) Free of charge.
 - (b) The design, print, purchase and installation of the vinyl (not carpet) flooring for the information centre space totalled \$1,442.25.

- (c) The design, print, purchase, installation and removal of the decals on all windows totalled \$5,977.
- (d) The design, print, purchase and installation of 'A day in the life of Capital Metro' rear wall decal totalled \$3,130.
- (e) There were two signs and the total cost was \$1,885.
- (f) The design, print, purchase and installation of the orange wall coverage (including the incorporation of the orange signage advertising the colouring competition was totalled \$4,345.
- (g) The purchase of the white table and chairs was \$29.
- (h) Pencils/crayons \$4.
- (i) Design, print, assemble and purchase of the orange feedback box located inside the information centre totalled \$588.
- (j) The black cabinet was borrowed at no charge for 6 weeks.
- (k) The table and table cover was hired for 2 months at a total cost of \$328.60.
- (l) \$156.
- (m) and (n) The total cost for the hire and installation of the Ipad and television was \$1,582.85.
- (3) The pop up shop was provided free of charge for the set up period and consultation period.
- (4) The quantities were one of each.

Capital Metro Agency—branded items (Question No 318)

Mr Coe asked the Minister for Capital Metro, upon notice, on 14 August 2014:

- (1) What was the cost of producing the Capital Metro branded items of (a) drink bottles, (b) foam trains, (c) cardboard trains, (d) pull-ups, (e) booklets entitled *See how the first stage of light rail in Canberra will benefit our city*, (f) fold-out orange A4 pamphlets, (g) posters entitled *Strategic Approach*, (h) posters entitled *The Griffin Legacy*, (i) posters entitled *Passenger experience*, (j) posters entitled *The nuts and bolts*, (k) posters entitled *Redefining the entrance to the nation's capital*, (l) A4 factsheets entitled *Strategic approach*, (m) A4 factsheets entitled *The Griffin Legacy*, (n) A4 factsheets entitled *Passenger experience*, (o) A4 factsheets entitled *The nuts and bolts* and (p) A4 factsheets entitled *Redefining the entrance to the nation's capital*.
- (2) What was the quantity of each item produced referred to in parts (1)(a) to (1)(p).

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

- (1) (a) 2,000 drink bottles were purchased at a cost of \$4,770.50.
- (b) 2,000 foam trains were purchased at a cost of \$5,648.00.

- (c) 2,000 cardboard trams were purchased at a cost of \$3617.00.
 - (d) The design, print and production of 12 x 2000mm high x 850mm wide banners totalled \$3,771.90.
 - (e) The design, print and delivery of 2,500 Tri-fold brochures entitled 'See how the first stage of light rail in Canberra will benefit our city' was a total cost of \$7,834.81.
 - (f) The fold out orange A4 pamphlet is the same document as the brochure referred to in (e).
 - (g) (h) (i) (j) and (k) The total design and print for 5 posters was \$2,216.50.
 - (l) (m) (n) (o) and (p) were printed in house.
- (2) Please see above for quantities with the exception of the factsheets (l) to (p) which were printed in house as required.

Roads—civil contracting projects (Question No 319)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 14 August 2014 (*redirected to the Minister for Economic Development*):

- (1) How much has the Government spent on road related civil contracting projects for (a) each of the last three financial years and (b) 2014-15.
- (2) For the amounts listed in part (1), how many contracts are (a) less than \$25 000, (b) between \$25 000 and \$50 000, (c) between \$50 000 and \$100 000, (d) between \$100 000 and \$200 000, (e) between \$200 000 and \$500 000, (f) between \$500 000 and \$1 000 000 and (g) greater than \$1 000 000.
- (3) What portion of the amounts referred to in part (1) and the contracts referred to in part (2) forms part of the works for Majura Parkway.
- (4) What companies referred to in part (2) are regarded as ACT companies.

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

- (1) (a) The Government has paid the following amounts to contractors on road related civil projects for each of the previous three financial years:

2011-2012	\$166.90 million
2012-2013	\$179.83 million
2013-2014	\$229.96 million
- (b) The Government has paid \$20.98 million (year to 25 August 2014) to contractors on road related civil projects for the financial year 2014-2015.
- (2) In relation to the amounts paid during each financial year as referred to in part (1) above, the number of contracts and corresponding values are as follows:

- (a) 11 contracts with a value less than \$25,000;¹
- (b) 26 contracts with a value between \$25,000 and \$50,000;
- (c) 52 contracts with a value between \$50,000 and \$100,000;
- (d) 91 contracts with a value between \$100,000 and \$200,000;
- (e) 90 contracts with a value between \$200,000 and \$500,000;
- (f) 58 contracts with a value between \$500,000 and \$1,000,000; and
- (g) 68 contracts with a value greater than \$1,000,000.

(3) In relation to the amounts referred to in part (1) above, the portion of the amount that forms part of the works on the Majura Parkway is as follows:

2011-12	\$11.03 million;
2012-13	\$45.28 million;
2013-14	\$122.22 million; and
2014-15	\$9.57 million (year to 25 August 2014).

In relation to the contracts referred to in part (2) above, the portion of the contracts that form part of the works on the Majura Parkway is as follows:

Nil contracts with a value less than \$25,000;
 1 contract with a value between \$25,000 and \$50,000;
 1 contract with a value between \$50,000 and \$100,000;
 1 contract with a value between \$100,000 and \$200,000;
 1 contract with a value between \$200,000 and \$500,000;
 Nil contracts with a value between \$500,000 and \$1,000,000; and
 3 contracts with a value greater than \$1,000,000.

(4) Of the total 396 contracts referred to in part (2), about 91 per cent (362) engaged the services of ACT companies, being those companies either based in the ACT region or with an office in the ACT region, to undertake civil contracting projects.

¹ Note: Contracts with a value under \$25,000 are not required to be listed on the ACT Government Contracts Register. These 11 contracts have been listed voluntarily. Procurement and Capital Works does not have information on contracts under \$25,000.

ACTION bus service—patronage (Question No 320)

Mr Coe asked the Minister for Territory and Municipal Services, upon notice, on 14 August 2014:

- (1) What is the number of passengers who catch ACTION bus route 956, since 1 February 2014, broken down by average number of passengers on a (a) Saturday and (b) Sunday.
- (2) What is the average number of passengers who catch ACTION bus route 956 on a (a) Saturday and (b) Sunday, since 1 February 2014, who begin and terminate their travel at a bus stop on (i) Mort Street (including the Civic Bus Interchange), (ii) Northbourne Avenue, (iii) the Federal Highway, (iv) Flemington Road, (v) Sanford Street, (vi) Brookes Street, (vii) Lysaght Street, (viii) Hoskins Street, (ix) The Valley Avenue and (x) Hibberson Street.

- (3) What is the number of passengers who catch ACTION bus route 956, since 1 February 2014, who begin or terminate their travel on Kosciusko Avenue, broken down by average number of passengers on a (a) Saturday and (b) Sunday.
- (4) What is the average number of passengers who catch ACTION bus route 951 on a (a) Saturday and (b) Sunday, since 1 February 2014, who both begin and terminate their travel between, and inclusive of, the Civic Bus Interchange on Mort Street and the Gungahlin Town Centre on Hibberson Street.
- (5) What is the average number of passengers who catch ACTION bus route 952 on a (a) Saturday and (b) Sunday, since 1 February 2014, who both begin and terminate their travel at a bus stop on (i) Mort Street (including the Civic Bus Interchange), (ii) Northbourne Avenue, (iii) the Federal Highway, (iv) Flemington Road, (v) Sanford Street, (vi) Hoskins Street, (vii) Oodgeroo Avenue, (viii) Nullarbor Avenue, (ix) Jenolan Street, (x) Moonlight Avenue, (xi) Anthony Rolfe Avenue, (xii) Kate Crace Street, (xiii) Hibberson Street, (xiv) Gozzard Street and (xv) Gundaroo Drive.

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

- (1) The average number of passengers who catch the ACTION bus route 956 is:
- (a) 486 on Saturdays
(b) 324 on Sundays
- (2) The table below is the average number of origin passengers and destination passengers for each stop on the Route 956, for Saturdays and Sundays:

'Origin Passengers' refers to the average number of passengers boarding the bus at a specific bus stop. 'Destination Passengers' refers to the average number of passengers exiting the bus at a specific bus stop.

Stop Name	Saturday		Sunday	
	Average Origin Passengers	Average Destination Passengers	Average Origin Passengers	Average Destination Passengers
City Bus Stn Arrivals	6	125	1	79
Mort St after Cooyong St	7	1	10	2
Mort St before Cooyong St	0	3	0	5
Mort St before Girrahween St	1	1	1	2
Mort St after Girrahween St	0	4	0	2
City Bus Stn Plt 8	160	2	110	2
Northbourne Av Motor Registry	21	9	11	8
Northbourne Av opp Motor Registry	6	13	6	9
Northbourne Av before Morphett St	7	1	4	2
Northbourne Av Lyneham Flats	2	11	1	7
Northbourne Av The Pavilion	5	2	4	1
Northbourne Av Owen Flats	1	4	1	4
Northbourne Av after Macarthur Av	8	1	4	0
Northbourne Av before Macarthur Av	3	6	2	6
Northbourne Av Fenner Hall	11	5	6	1
Northbourne Av Condamine Court	5	14	3	9
Northbourne Av Northbourne Flats	4	2	3	1
Northbourne Av after Greenway St	4	7	4	7
Northbourne Av Visitors Centre	2	0	2	1

Northbourne Av After Swinden Street	4	1	3	1
Northbourne Av Yowani Country Club	1	4	0	3
Northbourne Av after Phillip Av	6	1	5	1
Northbourne Av opp Phillip Av	2	4	1	2
Flemington Rd Exhibition Park	3	1	1	0
Flemington Rd opp Exhibition Park	2	4	0	0
Sandford St after Flemington Rd	1	1	1	1
Sandford & Brookes St	0	1	0	0
Lysaght St after Grimwade St	1	1	0	0
Lysaght St after Huddart Ct	0	1	0	0
Kosciuszko Av before Gungahlin Dr	6	1	3	1
Kosciuszko Av after Everard St	3	7	3	7
Kosciuszko Av before Mainwaring Rich Cct	5	2	3	1
Kosciuszko Av after Redcliffe St	3	3	2	2
Kosciuszko Av after Bollard St	7	3	3	3
Kosciuszko Av opp Palmerston Oval	3	3	2	2
Kosciuszko Av Palmerston Oval	5	1	3	2
Kosciuszko Av Palmerston PS	3	5	2	2
Kosciuszko Av after 2nd Tiptree Cr	8	5	4	2
Kosciuszko Av & Grampians St	1	3	0	2
Kosciuszko Av after Gudgenby Cl	5	1	3	1
Kosciuszko Av after Bimberi Cr	3	5	1	2
Kosciuszko Av after Brinkley Cct	6	3	2	1
Kosciuszko Av before Burrowa St	1	3	1	1
Kosciuszko Av after 2nd Freeling Cct	3	3	1	1
Kosciuszko Av after 2nd Sentry Cr	4	5	2	3
Kosciuszko Av after Gingera St	10	4	4	2
Kosciuszko Av after Buller Cr	4	5	3	2
Kosciuszko Av after Gungahlin Dr	9	5	5	4
Kosciuszko Av Palmerston Shops	3	5	3	5
Hoskins St after Dacre St	0	1	0	1
Hoskins St after Pelle St	1	5	0	5
Hoskins St before Vicars St	4	2	6	1
Brookes St after Lysaght St	1	0	0	0
Brookes St after Buckland St	0	0	0	0
Brookes St after Heffernan St	0	1	0	0
Brookes St after Sandford St	1	1	0	0
Flemington Rd before Exhibition Park	0	2	0	0
Flemington Rd after Randwick Rd	0	0	0	0
Randwick Rd Canberra Racecourse	0	1	0	1
Hoskins St before Dacre St	1	1	1	0
The Valley Av after Gungahlin Dr	0	0	0	1
The Valley Av Burgmann School	1	0	2	1
Hibberson St before Hinder St	0	16	0	13
The Valley Av after Gozzard St	3	3	4	1
The Valley Av East of Warwick St	0	2	0	2
The Valley Av West of Warwick St	3	1	2	1
The Valley Av after Delma View	0	2	0	2
Hibberson St after Kate Crace St	16	3	16	2
Hibberson St Gungahlin Market Place	89	1	58	2
Hibberson St before Gozzard St	1	36	1	24
Total	486	380	324	259

(3) Refer to table in Question 2.

(4) The average number of passengers who catch the ACTION bus route 951 is:

- (a) 896 on Saturdays
- (b) 529 on Sundays

The table below is the average number of origin passengers and destination passengers for each stop on the Route 951, for Saturdays and Sundays:

Stop Name	Saturday		Sunday	
	Average Origin Passengers	Average Destination Passengers	Average Origin Passengers	Average Destination Passengers
O'Hanlon Pl after Gold Creek Rd	4	2	1	1
O'Hanlon Pl before Gold Creek Rd	1	0	1	1
City Bus Stn Arrivals	1	187	0	96
Anthony Rolfe Av after Gundaroo Rd	2	1	1	1
City Bus Stn Plt 8	228	3	122	2
Aikman Dr opp UC	0	1	0	0
Aikman Dr before Townsend Pl	3	1	4	1
Emu Bank McDonalds	0	3	0	1
Emu Bank opp McDonalds	2	3	2	1
Northbourne Av Motor Registry	11	17	5	12
Northbourne Av opp Motor Registry	13	9	7	7
Northbourne Av before Morphet St	5	2	2	5
Northbourne Av Lynham Flats	3	10	3	4
Northbourne Av The Pavilion	3	3	1	3
Northbourne Av Owen Flats	5	7	3	2
Northbourne Av after Macarthur Av	5	7	3	2
Northbourne Av before Macarthur Av	5	6	3	3
Northbourne Av Fenner Hall	7	4	3	2
Northbourne Av Condamine Court	5	7	2	4
Northbourne Av Northbourne Flats	3	6	3	1
Northbourne Av after Greenway St	7	7	4	4
Northbourne Av The Marque Hotel	0	3	0	2
Northbourne Av ACIL House	4	2	2	1
Northbourne Av Mantra	0	5	0	2
Northbourne Av Canberra Centre Apartments	16	3	12	2
Northbourne Av Visitors Centre	1	1	1	0
Northbourne Av After Swinden Street	2	1	0	2
Northbourne Av Yowani Country Club	2	6	2	2
O'Hanlon Pl opp Federation Square	5	5	2	2
O'Hanlon Pl Federation Square	2	2	2	2
Kelleway Ave after Holy Spirit Primary	2	2	2	1
Kelleway Av opp Holy Spirit PS	0	1	1	1
Kelleway Av before Gungahlin Dr	1	1	0	1
Kelleway Av after Gungahlin Dr	1	2	2	1
Wanganeen Av North of Jabanungga Av	3	1	2	0
Wanganeen Av after Gurrang Av	1	1	1	1
Wanganeen Av Ngunnawal PS	7	2	3	1
Wanganeen Av opp Ngunnawal PS	2	2	1	1
Unaipon Av 2nd before Yumba Av	2	0	1	0
Unaipon Av after Jandamarra St	0	2	0	1
Unaipon Av before Yumba Av	1	1	1	1
Unaipon Av after Windradyne St	1	1	1	0
Unaipon Av after Pemulwuy St	2	0	3	0
Unaipon Av after Len Waters St	0	2	0	1
Len Waters St before Maynard St	4	1	2	0
Len Waters St after Windradyne St	1	2	1	2
Mirrabei Dr after Len Waters St	1	0	0	0
Mirrabei Dr before Len Waters St	0	1	0	0
Mirrabei Dr 2nd after Len-Waters St	2	0	1	0
Mirrabei Dr Northbound after Wanganeen Av	0	3	0	2

Mirrabei Dr Southbound after Wanganeen Av	3	1	1	0
Mirrabei Dr before Wanganeen Av	0	1	0	0
Mirrabei Dr before Shoalhaven Av	6	2	3	1
Mirrabei Dr after Paul Coe Cr North Entry	1	3	0	2
Kelleway Av after Anne Clark Av	0	1	0	0
Jabanungga Av after Ngunnawal Shops	4	3	2	2
Jabanungga Av after Manity Cr	7	4	3	2
Jabanungga Av after Bimbiang Cr	2	1	1	1
Jabanungga Av Taylor St	3	1	2	1
Jabanungga Av before 2nd Bimbiang Cr	1	2	1	2
Northbourne Av after Phillip Av	3	3	2	2
Northbourne Av opp Phillip Av	3	3	3	2
Flemington Rd Exhibition Park	1	2	1	2
Flemington Rd opp Exhibition Park	2	3	1	1
William Slim Dr after Chuculba Cr	1	1	1	0
William Slim Dr before Chuculba Cr	2	1	1	2
Mirrabei Dr after Paul Coe Cr South Entry	4	1	1	1
Anthony Rolfe Av before Gundaroo Rd	1	1	1	1
Jabanungga Av after 2nd Mundang Av	4	1	2	1
Horse Park Dr before Arrabri St	2	1	2	1
Arrabri St after Horse Park Dr	2	1	2	2
Jabanungga Av before Warabin Cr	3	0	2	0
Unaipon Av after Wanganeen Av	0	0	1	0
Jabanungga Av after Mundang Cr	1	1	1	1
Jabanungga Av before 2nd Mundang Cr	0	3	1	3
Horse Park Dr after Arrabri St	2	1	1	1
Mirrabei Dr after Gundaroo Rd	0	4	1	3
Arrabri St before Horse Park Dr	1	4	0	2
Horse Park Dr 2nd after Newlop St	2	1	1	0
Horse Park Dr after Arrabri St	2	2	1	1
Flemington Rd before Exhibition Park	0	0	2	1
Flemington Rd after Randwick Rd	0	1	0	0
Randwick Rd Canberra Racecourse	1	1	0	4
Horse Park Dr after Newlop Cr	2	1	2	1
Aikman Dr after Joy Cummings Pl	0	0	0	0
Aikman Dr after Joy Cummings Pl	4	3	1	2
Curran Dr after McClelland Av South Entry	2	1	1	1
Curran Dr before McClelland Av	1	1	0	0
Curran Dr 2nd after McClelland Av	2	2	0	0
Curran Dr after Temperley St	0	0	0	0
Temperley St after Curran Dr	1	2	0	1
Temperley St after Dobbin Cct	0	0	0	0
Temperley St before Stebman Pl	1	3	0	1
Temperley St after Stedman Pl	1	1	0	1
Temperley St after 2nd Sue Geh Cct	1	0	1	0
Temperley St after Viner Pl	1	2	0	1
Temperley St after 2nd McRitchie Cct	0	1	0	0
Temperley St after Krantzke Cct	1	1	0	0
Temperley St after Sue Geh Cct	1	1	1	0
Kelleway Av before Lexcen Av	2	1	1	1
Kelleway Av after Lexcen Av	2	2	3	2
Lexcen Av after Temperley Cct	2	3	1	1
Lexcen Av after McCauliffe Ct	1	1	1	0
Temperley St South of Whitfield Cct	0	0	1	0
Temperley St North of Whitfield Cct	1	1	0	0
Temperley St after Lexcen Av	0	0	1	0
Gungahlin Dr before Horsepark Dr	1	0	1	0
Gungahlin Dr after Horsepark Dr	0	0	0	0

Temperley St before Whitfield Cct	1	0	0	0
Westfield Bus Stn	55	1	36	1
Westfield Bus Stn Set Down Only	0	37	0	26
Belc.Community Stn Plt 2	12	1	10	1
Belc.Community Stn Arrivals	0	9	0	4
Flemington Rd after Sandford St	3	2	3	1
Flemington Rd after Lysaght St	3	1	1	1
Hibberson St before Hinder St	4	35	4	26
Hibberson St after Kate Crace St	36	3	24	2
Flemington Rd after Nullarbor Av	9	15	8	8
Flemington Rd after Nullarbor Av Sth	28	13	16	7
Flemington Rd after 2nd Manning Clarke	1	4	0	4
Flemington Road after Hamer St	11	1	6	2
Flemington Road before 2nd Manning Clarke Cr	9	21	4	11
Flemington Road after Wizard St	37	10	19	5
Flemington Road after Manning Clark Cr	11	19	6	11
Flemington Road after Mapleton Av	24	9	15	8
Flemington Road before Geikie St	11	17	7	10
Flemington Rd after Wells Station Dr	23	7	12	5
Overall Av after Shedden St	6	2	3	2
Overall Av after Horse Park Dr	2	4	3	2
Overall Av after Sudradjat St	4	1	1	0
Overall Av after John Crawford Cr	1	2	0	1
Overall Av after Powley St	3	1	2	1
Overall Av After Tipett St	2	3	2	2
Hibberson St Gungahlin Market Place	76	22	44	15
Hibberson St before Gozzard St	48	56	30	29
Cohen St Bus Stn Plt 1	9	0	4	0
Cohen St Bus Stn Arrivals	0	2	0	1
Total	896	719	529	422

(5) The average number of passengers who catch the ACTION bus route 952 is:

(a) 988 on Saturdays

(b) 571 on Sundays

The table below is the average number of origin passengers and destination passengers for each stop on the Route 952, for Saturdays and Sundays:

Stop Name	Saturday		Sunday	
	Average Origin Passengers	Average Destination Passengers	Average Origin Passengers	Average Destination Passengers
O'Hanlon Pl after Gold Creek Rd	1	2	1	2
O'Hanlon Pl before Gold Creek Rd	1	1	2	1
City Bus Stn Arrivals	2	176	0	76
City Bus Stn Plt 8	266	5	159	2
Owen Dixon Dr opp McKellar Soccer Club	1	2	0	0
William Webb Dr after Owen Dixon Dr	1	1	1	0
William Webb Dr before Owen Dixon Dr	2	1	1	0
William Webb Dr before Jeanne Young Cct	3	0	2	0
William Webb Dr after 2nd Rohan Rivett Cr	2	4	0	1
William Webb Dr & Rohan Rivett Cr	2	1	2	0
William Webb Dr after 2nd Sproule Cct	1	1	0	2
William Webb Dr after Rohan Rivett Cr	2	0	2	0
William Webb Dr after Sproule Cct	1	3	0	2
William Webb Dr after Clancy St	1	1	1	0
William Webb Dr after Dumas St	2	2	1	1

Aikman Dr opp UC	0	2	0	1
Aikman Dr before Townsend Pl	2	2	2	3
Emu Bank McDonalds	0	3	0	2
Emu Bank opp McDonalds	5	2	3	3
William Webb Dr after Callaghan St	3	1	2	1
William Webb Dr before Callaghan St	2	3	0	2
William Webb Dr before Ginninderra Dr	0	0	1	1
William Webb Dr after Ginninderra Dr	2	1	0	1
Northbourne Av Motor Registry	24	15	9	8
Northbourne Av opp Motor Registry	14	13	9	10
Northbourne Av before Morphett St	7	3	4	1
Northbourne Av Lyneham Flats	4	10	3	5
Northbourne Av The Pavilion	6	0	3	0
Northbourne Av Owen Flats	5	7	4	3
Northbourne Av after Macarthur Av	8	2	3	2
Northbourne Av before Macarthur Av	5	8	3	5
Northbourne Av Fenner Hall	7	8	5	1
Northbourne Av Condamine Court	6	14	3	8
Northbourne Av Northbourne Flats	4	6	3	1
Northbourne Av after Greenway St	5	9	3	4
Northbourne Av The Marque Hotel	0	4	0	1
Northbourne Av ACIL House	4	3	2	1
Northbourne Av Mantra	0	6	2	2
Northbourne Av Canberra Centre Apartments	13	3	9	1
Northbourne Av Visitors Centre	2	1	1	0
Northbourne Av After Swinden Street	8	3	2	0
Northbourne Av Yowani Country Club	2	4	2	3
O'Hanlon Pl opp Federation Square	6	2	2	1
O'Hanlon Pl Federation Square	2	3	3	2
McClelland Av after Moriarty St	1	1	0	0
McClelland Av after Fowler St	1	1	0	0
McClelland Av after Donnan St	1	3	1	1
McClelland Av after Metcalfe St	1	1	1	0
McClelland Av after Clemenger St	1	1	1	1
McClelland Av after Curran Dr	1	1	1	0
Kelleway Av after McClelland Av	1	1	0	1
Kelleway Av Nicholls Shops	0	1	0	1
Kelleway Ave after Holy Spirit Primary	0	1	0	1
Kelleway Av opp Holy Spirit PS	1	1	2	1
Wanganeen Av Ngunnawal PS	4	1	2	1
Wanganeen Av opp Ngunnawal PS	3	5	3	2
Mirrabei Dr Southbound after Wanganeen Av	0	0	0	0
Mirrabei Dr before Wanganeen Av	1	1	1	1
Mirrabei Dr before Shoalhaven Av	1	1	0	1
Mirrabei Dr after Paul Coe Cr North Entry	2	0	2	1
Shoalhaven Av after Mirrabei Dr	2	1	1	0
Shoalhaven Av after Roderick St	1	2	1	2
Burdekin Av after Shoalhaven Av	1	0	0	2
Burdekin Av after Evella Cct	2	1	0	0
Paul Coe Cr before Mirrabei Dr	1	1	1	1
Paul Coe Cr before Noongale Ct	0	1	0	1
Paul Coe Cr after Mulleun Cl	1	0	0	0
Paul Coe Cr after Noongale Cct	1	0	0	1
Paul Coe Cr after Galmarra St	2	1	2	1
Paul Coe Cr 2nd after Noongale Ct	2	2	1	1
Lexcen Av after Gungahlin Dr	1	1	0	0
Lexcen Av after Arthaldo Cct	1	1	1	1
Anne Clark Av after Lexcen Av	1	2	2	1

Anne Clark Av after Biddell St	2	2	1	1
Gurrang Av after Wanganeen Av	1	2	1	1
Gurrang Av after Barunga St	1	1	0	0
Gurrang Av after Saunders St	1	1	1	0
Amagula Av after Ferguson Cct	0	1	0	0
Amagula Av after Taggerty St	1	2	0	1
Amagula Av after Yirawala St	0	1	0	0
Amagula Av after Bungaree Cr	2	1	1	0
Northbourne Av after Phillip Av	13	2	5	1
Northbourne Av opp Phillip Av	3	9	1	5
Flemington Rd Exhibition Park	10	2	2	1
Flemington Rd opp Exhibition Park	2	5	2	2
Gurrang Ave after Marungul Av	1	0	1	0
Sandford St after Flemington Rd	1	2	1	1
Sandford & Brookes St	4	1	1	0
Sandford St after 2nd Kemble Crt	0	1	1	0
Sandford St after Hoskins St	0	0	0	1
Hoskins St after Sandford St	1	1	0	1
Hoskins St after Lysaght St	1	0	0	0
William Slim Dr after Chuculba Cr	3	1	2	0
William Slim Dr before Chuculba Cr	2	3	1	1
Amagula Av after Gungahlin Dr	1	1	1	0
Amagula Av after Yirawala St	2	1	1	0
Amagula Av after Gula Pl	1	1	1	1
Gurrang Av after Marungul Av	1	0	1	0
Gurrang Av after Deumonga Cct	1	0	0	0
Gurrang Av after Bunburung Cl	1	1	0	1
Anne Clark Av after Kelleway Av	3	1	2	1
Anne Clark Av after Linn St	2	1	4	1
Lexcen Av after Anne Clark Av	1	1	0	0
Lexcen Av after Arthaldo Ct	2	1	1	0
Wanganeen Av before Mirrabai Dr	3	0	2	1
Hoskins St after Dacre St	1	4	0	0
Hoskins St after Pelle St	0	1	1	1
Hoskins St before Vicars St	2	1	1	0
Flemington Rd before Exhibition Park	1	1	0	0
Flemington Rd after Randwick Rd	1	1	0	0
Randwick Rd Canberra Racecourse	1	1	1	1
Hoskins St before Dacre St	0	1	1	0
Aikman Dr after Joy Cummings Pl	1	0	0	1
Aikman Dr after Joy Cummings Pl	3	2	1	2
Owen Dixon Dr McKellar Soccer Club	2	1	0	0
Kelleway Av before Lexcen Av	2	1	2	0
Kelleway Av after Lexcen Av	1	1	1	0
Katherine Av after Shoalhaven Av	2	0	1	1
Katherine Av after Timboram St	1	0	2	1
Katherine Av after Cooloola St	3	1	2	1
Gozzard St Gungahlin	1	4	0	2
Gozzard St after Gundaroo Rd	6	3	2	1
Kelleway Av after Rowley Pl	1	0	1	0
Kelleway Av opp Nicholls Shops	0	0	0	1
Westfield Bus Stn	76	2	47	2
Westfield Bus Stn Set Down Only	1	47	2	36
Belc.Community Stn Plt 2	12	2	14	2
Belc.Community Stn Arrivals	0	9	0	7
Burdekin Av opp Amaroo School	2	3	1	2
Burdekin Av opp Good Shepherd School	1	1	1	1
Burdekin Av after Geehi Pl	1	1	0	1

Burdekin Av after Bywaters St	1	0	0	0
Galmarra St before Milari St	2	0	0	0
Galmarra St after Paul Coe Cr	0	0	0	0
Paul Coe Cr after Nona Pl	1	0	0	0
Burdekin Av Good Shepherd School	1	0	1	0
Paul Coe Cr after Kardang St	1	1	1	1
Burdekin Av Amaroo PS	2	2	1	1
Katherine Av after Tarrabool St	2	0	1	0
Gundaroo Dr after Hollingsworth St	0	1	0	0
Gundaroo Dr after Horse Park Dr	1	1	0	0
Gundaroo Dr before Hollingsworth St	0	1	0	1
Gundaroo Dr after Pallin St	1	1	1	1
Gundaroo Dr before Nellie Hamilton Av	0	3	0	2
Gundaroo Dr after Nellie Hamilton Av	1	2	0	0
Katherine Av before Cooloola St	1	3	2	3
Katherine Av after 2nd Benaroon Cct	0	1	1	1
Katherine Av after Benaroon Cct	5	3	1	2
Katherine Av after Horse Park Dr	4	3	3	2
Horse Park Dr after Gundaroo Dr	1	1	0	1
Horse Park Dr after Katherine Av	0	1	0	1
Hibberson St before Hinder St	6	34	3	19
Katherine Av after Auburn St	2	3	1	1
Katherine Av after Marrett St	1	1	1	1
Nullarbor Av after Cultivation St	5	3	3	2
Nullarbor Av after Katoomba St	4	5	1	3
Cultivation St after Encounter St	2	2	1	1
Cultivation St after Nullarbor Av	1	2	1	1
Cultivation St before Tanami St	5	2	2	1
Cultivation St after Tanami St	4	4	2	2
Cultivation St after Carpentaria St	0	1	0	0
Cultivation St before Carpentaria St	0	1	0	0
Jenolan St after Mapleton Av	9	3	4	2
Jenolan St after Cultivation St	3	8	2	3
Mapleton Av after Horse Park Dr	1	2	0	1
Mapleton Av after Jenolan St	1	1	0	1
Moonlight Av after Kalianna St	7	3	2	2
Moonlight Av after Anthony Rolfe Av	3	6	2	3
Moonlight Av after Haven St	5	2	2	2
Moonlight Av after Redbank St	2	4	2	3
Moonlight Av after Parsley St	5	4	1	3
Moonlight Av after Osprey St	5	4	4	2
Anthony Rolfe Av after Ansett	0	0	0	0
Anthony Rolfe Av after DeBortoli St	3	3	2	3
DeBortoli St after Anthony Rolfe Av	1	1	0	1
Hoskins St before Cash St	12	2	6	2
Hoskins St before Oodgeroo	4	12	4	9
Hoskins St after Wells Station Dr	4	8	2	6
Hoskins St after Cash St	10	4	3	2
Hibberson St after Kate Crace St	26	3	14	1
Kate Crace St after Anthony Rolfe Av	0	2	0	1
Kate Crace St after Ernest Cavanagh St	0	0	0	0
Anthony Rolfe Av after Hamer St	1	3	0	1
Anthony Rolfe Av after Kate Crace St	1	1	1	0
Anthony Rolfe Av after Peters St	1	4	1	3
Anthony Rolfe Av 2nd after Kate Crace St	3	3	1	1
Anthony Rolfe Av after Wizard St	4	5	3	4
Anthony Rolfe Av 3rd after Kate Crace St	3	3	1	2
Nullarbor Av before Christina Stead St	2	3	1	2
Nullarbor Av before Flemington Rd	2	5	2	3

Oodgeroo Av after Hoskins St	3	7	2	4
Oodgeroo Av after Nullarbor Av	6	3	2	2
Oodgeroo Av after Gwen Meredith	4	10	3	4
Oodgeroo Av before Hoskins St	16	4	5	3
Nullarbor Av before Kings Canyon St	4	4	2	2
Nullarbor Av before Katoomba St	2	6	2	6
Hibberson St Gungahlin Market Place	70	29	38	15
Hibberson St before Gozzard St	41	48	27	36
Cohen St Bus Stn Plt 1	12	1	10	0
Cohen St Bus Stn Arrivals	0	4	0	3
Total	988	802	571	452

Questions without notice taken on notice

Racing industry—unclaimed dividends

Mr Barr (*in reply to a question and supplementary questions by Mr Doszpot and Mr Smyth on Thursday, 14 August 2014*): Unclaimed declared dividends in the Territory are retained by the licence holder.

A person who is entitled to the dividend or other amount may claim the amount from the licensee within one year of the event or contingency. There are no other particular legal or compliance requirements.

As a licence holder Tabcorp will be entitled to retain any unclaimed declared dividends, or other amount payable to a person in relation to an event or contingency, if that dividend or amount payable has not been claimed by a person that is entitled to the amount.

ACTTAB will retain any unclaimed declared dividends at the time that the sale is completed. Any subsequent claims made against those amounts up to one year from the change in ownership will be paid by Tabcorp who will then seek reimbursement from the Territory.

The Government does not intend changing the arrangements relating to unclaimed dividends.

ACT public service—breastfeeding

Ms Gallagher (*in reply to supplementary questions by Mrs Jones and Ms Lawder on Wednesday, 13 August 2014*): The ACT Government provides excellent support to mothers in the workplace, through the employment framework and specific breastfeeding initiatives:

ACTPS Respect, Equity and Diversity Framework

The Respect, Equity and Diversity Framework was launched in December 2010 and aims to provide a workplace that enables equal employment opportunities for all applicants and employees and highlights the fundamental importance of each ACTPS employee acting in a way that respects the inherent dignity of the person.

Since its implementation, the RED Framework has provided a foundation to support an ongoing dialogue about workplace behaviour within the ACTPS.

Indeed, this ongoing discussion has provided the opportunity for women in the ACTPS to provide a strong voice regarding matters relating to pregnancy and caring requirements in the workplace.

Currently, the RED Framework is being reviewed to identify any areas for improvement and maturation, and determine the RED Framework's relevance going forward.

ACT Breastfeeding Strategic Framework 2010-2015

The main whole of government framework relating to breastfeeding in the workplace is provided in the ACT Breastfeeding Strategic Framework 2010-2015, which was developed by the Health Directorate and launched in 2010.

The objective of the framework is to achieve a whole of government approach to promote, protect and support breastfeeding.

The overall aim of the framework is to identify strategies to increase the number of infants being exclusively breastfed from birth to six months, and to encourage ongoing breastfeeding with complementary foods until at least 12 months of age in line with National Health and Medical Research Council.

The framework is the outcome of an extensive consultation process with health professionals including general practitioners, key stakeholders and policy makers from government and non government organisations as well as with mothers, fathers and grandparents. These consultations have resulted in a rich body of knowledge that has enabled the development of the Framework to identify areas for action, relevant to the ACT situation and population.

Accreditation - Breastfeeding Friendly Workplace

The ACT Government is aware and supportive of the necessity of a work environment which provides for exclusive breastfeeding from birth to six months and ongoing breastfeeding with complementary foods until at least 12 months of age.

All Directorates have considered BFW accreditation, and currently the Chief Minister, Treasury and Economic Development Directorate, ACT Health, and the Environment and Sustainable Development Directorate have gained BFW accreditation.

In addition, the Community Services Directorate, Education and Training Directorate and the Justice and Community Safety Directorate are currently in the process of gaining accreditation.

Both accredited and non-accredited workplaces have put in place mechanisms to support breastfeeding in the workplace including:

- adapting private areas to be used for breastfeeding purposes;
- providing breastfeeding facilities in multiple locations (where relevant), including sharing facilities in the event different entities share a single location;

- providing toolkits housing further information for those in managerial positions about providing appropriate facilities and support for nursing mothers while they are at work.

Enterprise Agreement

Section E of the ACTPS Administrative and Related Classifications Enterprise Agreement 2013-2017 (Administrative Enterprise Bargaining Agreement) outlines flexible working arrangements and employee support.

Provisions under section E13 (Nursing Mothers) of the Administrative Enterprise Bargaining Agreement outlines that:

- E13.1 Employees who are breastfeeding will be provided with the facilities and support necessary to enable such employees to combine a continuation of such breastfeeding with the employee's employment;
- E13.2 Where practicable the Directorate will establish and maintain a room for nursing mothers. Where there is no room available another appropriate space may be used; and
- E13.3 Up to one hour, per day/shift, paid lactation breaks that are non-cumulative will be available for nursing mothers.

The ACT Government remains enthusiastic about the initiatives behind the ACT Breastfeeding Strategic Framework 2010-2015, and where possible, will continue to promote breastfeeding friendly workplace accreditation across the government.

Roads—Ashley Drive

Mr Rattenbury (*in reply to a supplementary question by Ms Berry on Tuesday, 5 August 2014*): In response to your question the following projects were funded in the 2014-15 budget:

Tuggeranong works

- Capital Works Erindale bus station upgrade – budget \$0.9million.
- Stormwater Capital Upgrade – Feasibility study of stormwater drainage issues at Allchin Circuit, Kambah – budget \$48,000.

Components of the 2014-15 Walking and Cycling Capital Works

- Construction Community path - intersection of laneway between McLarty Court/ Livingston Avenue Kambah – budget \$43,000.
- Construction community path - Anketell Street Greenway - budget \$82,000.
- Construction community path –Athllon Drive/Florence Taylor Street Greenway – budget \$51,000.
- Design and construct community path –O'Halloran Circuit Kambah – budget \$65,000.
- Feasibility study for community path - Jane Price Crescent Conder and Were Crescent Calwell – budget \$50,000 packaged with other locations outside Tuggeranong.

ACTION bus service—MyWay card information

Mr Rattenbury (*in reply to a supplementary question by Mr Coe on Thursday, 7 August 2014*): Both national and ACT privacy obligations permit the disclosure of personal information if it is reasonably necessary for law enforcement activities.

There is a clear process in place for the AFP requesting MyWay data. The MyWay Business Manager and the Public Transport Customer Service Manager have accountability for the release of MyWay data.

Kangaroos—cull

Mr Rattenbury (*in reply to a question by Mr Wall on Wednesday, 6 August 2014*): I can advise that the cost to government to date to rectify the damage is \$50,555 excluding staff costs. These costs do not factor in staff hours to repair and rectify damage or the services that were suspended while rectification was undertaken.

ACT Policing—outstanding arrest warrants

Mr Corbell (*in reply to supplementary questions by Mr Wall and Mr Hanson on Thursday, 14 August 2014*):

- (1) Operation Azine officially concluded on 31 August 2014. As of 19 August 2014, ACT Policing held 1,336 unexecuted warrants for the ACT.
- (2) Below is the breakdown of all unexecuted warrants, by jurisdiction, held by ACT Policing as at 19 August 2014.

Jurisdiction	Number of Unexecuted Warrants
ACT	1,336
NSW	7
Victoria	1
South Australia	1
Queensland	2

Health—nurse-led walk-in centres

Ms Gallagher (*in reply to a question and a supplementary questions by Mr Hanson and Mrs Jones on Thursday, 14 August 2014*): As I noted when Mr Hanson asked the question, answering the questions to the level of detail asked for would require an unreasonable diversion of limited resources at the Walk in Centres. The offer of a verbal briefing for Mr Hanson is still available.

The centres in Tuggeranong and Belconnen have recently opened. Currently the costs of providing the services are influenced by one off set up costs and additional costs associated with the commencement of the centres as they build up to full utilisation. It is not possible at this stage to provide a reliable cost per occasion of service for the Tuggeranong and Belconnen Walk in Centres.

As an indication of the cost of occasions of service, I can provide a figure for the cost per episode of care for the Canberra Hospital Walk in Centre for the financial year 2013-14 which was \$96.

Belconnen Walk in Centre Staffing is as follows:

Clinical Nurse Consultant 1.0 FTE (head count 1)

Nurse Practitioners 1.0 FTE (head count 1)

Advanced Practice Nurses 8.67 FTE (head count 10)

Reception Staff 4 FTE

Assistant Director of Nursing 0.25 FTE

Tuggeranong Walk in Centre Staffing is as follows:

Clinical Nurse Consultant 1.0 FTE (head count 1)

Nurse Practitioners 2.0 FTE (head count 2)

Advanced Practice Nurses 7.22 FTE (head count 9)

Reception Staff 3.5FTE

Assistant Director of Nursing 0.25 FTE

There is no ongoing recurrent budget for WiC advertising and marketing. At the time of the recent relocation of the TCH WiC to Tuggeranong and the opening of a second new WiC in Belconnen (June 2013/July 2014) an endorsed and targeted three phase campaign was approved and rolled out in order to inform consumers of the new services available to enhance access to primary care services on offer in the ACT. The actual dollar amount spent for this campaign was \$53,000 and included TV and radio advertisements, print media advertisements, poster printing and distribution, and ACTION bus advertising.