



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**SIXTH ASSEMBLY**

**8 JUNE 2006**

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**Thursday 8 June 2006**

**The Assembly met at 10.30 am.**

*(Quorum formed.)*

**MR SPEAKER** (Mr Berry) 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.

**Legal Affairs—Standing Committee  
Scrutiny report 27**

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (10.33): I present the following report:

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 27, dated 8 June 2006, together with the relevant minutes of proceedings—

I seek leave to move a motion authorising the report for publication.

Leave granted.

**MR STEFANIAK:** I move:

That the report be authorised for publication.

Question resolved in the affirmative.

**MR STEFANIAK:** I seek leave to make a brief statement.

Leave granted.

**MR STEFANIAK:** Scrutiny report 27 contains the committee's comments on three bills. I commend the report to the Assembly.

**Standing orders—suspension**

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (10.33): I move:

That so much of the standing orders be suspended as would prevent Notice No 4, Executive Business, relating to an Address to His Excellency the Governor-General, being called on forthwith.

I will speak briefly to my motion. Members would be aware that this morning the government is proposing that the Assembly make an address to His Excellency the Governor-General of the Commonwealth of Australia, in relation to the unprecedented steps by the commonwealth government to override the Civil Unions Act passed by this

Assembly earlier this year. This is a matter of significant importance and the government proposes that it be given priority by it being debated first this morning.

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

## **Address to Governor-General**

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (10.34): I move:

That, pursuant to standing order 268, this Assembly makes the following Address to His Excellency the Governor-General:

YOUR EXCELLENCY:

The Legislative Assembly for the Australian Capital Territory respectfully submits the following Address to His Excellency the Governor-General of the Commonwealth of Australia:

Under section 35 of the Australian Capital Territory (Self-Government) Act 1988, the Governor-General may disallow or recommend amendments to a law made by the parliament of the Australian Capital Territory.

The Australian Capital Territory has been advised that the Commonwealth proposes to recommend that the Governor-General disallow the Civil Unions Act 2006, a law made by the parliament of the Australian Capital Territory.

While understanding that the Governor-General neither represents the Crown in relation to the Australian Capital Territory nor acts on advice of the Executive of the Australian Capital Territory, the parliament of the Australian Capital Territory directs your attention to the unusual circumstances presented by section 35 of the Australian Capital Territory (Self-Government) Act 1988 and respectfully submits that in considering advice from the Federal Executive Council the following matters should be taken into consideration.

The Australian Capital Territory is a body politic with a plenary grant of power.

Members of the Australian Capital Territory parliament are elected by free election on the basis of pre-election commitments made known to the electorate. The election of members on the basis of pre-election commitments, including commitments relating to the Civil Unions Act 2006, gives members of the Assembly a political mandate to pursue the commitments.

Members of the present Australian Capital Territory parliament debated and passed the Civil Unions Act 2006.

The Civil Unions Act 2006 is a lawful exercise of the legislative power of the parliament of the Australian Capital Territory, made in pursuance of a political mandate given the parliament by the people of the Australian Capital Territory.

By convention, the Crown seldom intervenes once a law is made, so as to delay or frustrate the commencement of the law, save in unusual circumstances where the law because of its exceptional circumstances might be beyond the power of the parliament or is otherwise defective.

The Commonwealth has indicated publicly that it will seek to disallow the Civil Unions Act 2006 on the basis that it trespasses on a legitimate area of Commonwealth policy, namely that dealt with in the Marriage Act.

The Australian Capital Territory disagrees with the proposition that the Civil Unions Act 2006 has such an effect.

However, mindful of the need for legislatures to operate cooperatively within a federal system, the Australian Capital Territory stands ready to consider amending the Civil Unions Act 2006 were the Governor-General to make recommendations concerning the amendment of the Act, to resolve any outstanding ambiguities.

The Australian Capital Territory does not seek to interpose contrary advice to that which might be provided to the Governor-General by the Federal Executive Council.

Instead it makes the following points:

- (1) This is the first time that the Governor-General will be requested to disallow a law of the Australian Capital Territory under section 35. This is an exceptional request, which will inevitably form the basis for future precedent, not just in relation to the Australian Capital Territory, but in relation to self-governing territories and other polities, including the Commonwealth itself.
- (2) It is submitted that the power to disallow does not exist at large, but is constrained by ordinary convention in relation to Crown consideration of new legislation.
- (3) The Australian Capital Territory stands ready to consider amending the Act in accordance with any recommendation made by the Governor-General under subsection 35 (4) of the Australian Capital Territory (Self-Government) Act 1988.

Mr Speaker, when you walk into this place every day, you are escorted by our Serjeant-at-Arms carrying the Mace of this Assembly. Whilst many would regard this as a somewhat quaint display of ceremony, it nevertheless continues to portray an important message. The message is that this parliament has the power to make laws for the people of the Australia Capital Territory. The Mace and your presence in this chamber or that of your deputies asserts that this parliament has the capacity, the power and the mandate to make laws for the peace, order and good government of the ACT.

On Tuesday that power and responsibility was challenged by the federal Howard government, a government which has no mandate to make laws for the people of the Australian Capital Territory, as they relate to the Australian Capital Territory. The Howard government has no electoral mandate, no political mandate, simply no authority to make laws for people of the ACT.

Members would know that we were advised on Tuesday that the federal cabinet intends to advise His Excellency the Governor General to override our civil unions legislation. Whether or not you agree with the substance of this legislation—and I know a majority of members in this place do—there is a broader challenge laid down to us by the decision

of the commonwealth government. That challenge is that we do not have the responsibility and the power to make laws in this regard.

Today we have the opportunity to say that that is wrong, that we, and only we, have the responsibility and the power to make laws for the people of the Australian Capital Territory. We have that mandate because it is only the 17 members of this place who have been elected to do that work. John Howard does not have that mandate. Philip Ruddock does not have that mandate. No-one else in the federal parliament has that mandate. The Governor-General does not have that mandate.

Within this place we may agree and disagree about policy or detail. Over time, the decisions in this place can change. But when that has occurred, it has happened as a result of the debate and resolution of those whom our community entrusts with that mandate. What political mandate is held by the commonwealth executive or the Governor-General to abrogate a law made in this place by the representatives of the people of the Australian Capital Territory? They hold no political mandate, and their actions can only be justified as an exercise of legal force. It has no moral authority. It has no political authority. It is simply the straight exercise of a legal force.

Mr Speaker, it has been a long time since the Queen's representative disregarded the express wishes of the elected representatives of a parliament. In the past, jurisdictions in which this has occurred have reacted bitterly. We have seen that internationally and we have seen that here in the ACT and in the Northern Territory. The people of a jurisdiction have always said they will not tolerate the intervention of a Queen's representative in the ordering of their laws.

It is unfortunate that His Excellency the Governor-General has been embroiled in this debate, but this is not of the territory's making. The commonwealth government has chosen to use his powers under the self-government act to override the civil unions legislation. There could have been other ways of doing this. There could have been more constructive ways of resolving this impasse. We have the opportunity today in this address to His Excellency to outline how this can be more constructively resolved.

Section 35 of the Australian Capital Territory (Self-Government) Act does make provision for the Governor-General, on the advice of the responsible federal minister, to override an enactment made by this Assembly. But that same section also provides for the Governor-General, on advice, to recommend amendments. The challenge to the commonwealth government is to advise the Governor-General which amendments it believes will be satisfactory to address its concerns and to allow our civil unions legislation to stand.

I propose in our address to advise His Excellency that he has this power and option open to him. Concurrently, I have already written to the commonwealth Attorney-General advising him that this is the territory's preferred path forward: do not just overturn it for some vague and ill-conceived reason; give us the details; explain in detail what is wrong with our legislation; tell us which clauses offend; give us the opportunity to amend and tell us how we may do that. This address, which members have the opportunity today to endorse, hopefully will provide His Excellency with options to resolve this matter in a constructive way.



This address reminds His Excellency that the Australian Capital Territory is a body politic with a plenary grant of power. We have the power to make laws for the people of the Australian Capital Territory. It reminds His Excellency that members of this parliament have been elected by free election on the basis of pre election commitments made clearly to the electorate. When it comes to this piece of legislation, there can be no doubt that those on this side of this place, and a majority of members in this place, went to the last general election here in the ACT on the basis that, if elected, we would enact civil unions legislation.

This address also advises the Governor-General that, concurrent with that political mandate, we have passed the Civil Unions Act. It asserts that the passage of that act is a lawful exercise of the power given to us. There can be no doubt that the states and the territories do have the constitutional right to make laws in relation to same sex relationships. There can be no doubt about that. If there is any doubt, I simply refer members to the comments made by the commonwealth Attorney-General, Mr Ruddock. Mr Ruddock very clearly said that this is a matter for the states and territories to legislate on, and that is what we have done.

The nub of the argument, of course, from the commonwealth's perspective at least, is that they believe this law should be disallowed because of its exceptional circumstances and because it effectively is beyond the power of this parliament to make that law. That is not the case. We know that if a state parliament were to make this law, this law would be unchallenged by the federal government. The only reason it is challenged is not because of trespasses on commonwealth law-making power. It is because it can be, because we are a territory and the commonwealth has the opportunity to intervene politically. There is no trespass on commonwealth powers.

As I have outlined to members, this address reminds and offers the Governor-General an appropriate path to travel. It says that we are mindful of the need for legislatures to operate, wherever possible, cooperatively within a federal system and that we, as a legislature, are prepared to consider any recommendations that the Governor-General may choose to make to this place as to how this legislation may be amended to address any concerns that the commonwealth may have.

That is the challenge that now rests solely and squarely with Philip Ruddock and with the Prime Minister. They should advise His Excellency which specific elements of this legislation offend the commonwealth and what remedy they would propose to amend that legislation. If they choose to do that, I am sure His Excellency would advise the Assembly accordingly. It would then be back in our court and the Assembly could decide whether or not we believed such amendments were reasonable or proper. That is a constructive way to resolve this impasse.

In making this address, we recognise that the Australian Capital Territory executive does not advise the Governor-General on these matters. We recognise also that the Assembly itself cannot provide advice to him. But we can send this message to him, and that is the opportunity that we have with this very important step today.

In closing, it is worth making the following points. This is the first time that this power has been exercised by the commonwealth in the 17 years of self-government. It is an

exceptional and unprecedented request, and it will inevitably form the basis for future precedent should such issues arise again. For that reason it is incumbent upon this Assembly to propose a constructive path forward, and that is what our address today would do.

We say very clearly in this message to His Excellency the Governor-General that we stand ready to consider amending the act in accordance with any recommendation he may choose to make. Let us remember that we have already amended this act 62 times in response to commonwealth concerns.

We are not the party that is being provocative. We are not the party that is standing in defiance of common sense. We are the party—by that I mean this Assembly—that is acting within its lawful power, having regard to issues that have been raised, to make a law which we believe is in the best interests of the people of our territory and our city. It is now incumbent upon the commonwealth government to advise what further steps can be taken to address its concerns and to advise in detail.

Finally, my challenge is to all members in this place. You may agree or disagree with this legislation, but you all have a responsibility to uphold the responsibility and powers vested in this parliament to make laws for the people of the Australian Capital Territory. Make that your first objective in this debate. Rise above the political point scoring that can occur and assert your rights and responsibilities as elected representatives of the people of the Australian Capital Territory to make laws for the people of the ACT. I commend the motion to the Assembly.

**MR STEFANIAK** (Ginninderra) (10.49): I will move an amendment to the motion, but I want to put on the record that if the government had taken notice of what we said during the debate on the bill, indeed, in relation to the amendments, and had backed the bill we put forward, which was a registration model based on the Tasmanian model—effective legislation which does not breach the federal Marriage Act, which does not offend federal law, which has been accepted by the federal parliament as not having any problems with respect to federal law and which has been working quite successfully in Tasmania for several years—you would not have gotten yourselves into this pickle.

We put forward sensible legislation, which you knocked back, You were forced to bring in some additional amendments to your initial bill which, quite clearly—and I think you conceded this yourselves—went against the federal Marriage Act, breached federal law and caused all sorts of problems as a result. I warned you at the time that even those amendments were not satisfactory. There are still problems with them. Effectively, they are in breach of the federal Marriage Act. They are in breach of federal law, and that is a big, significant problem.

**Mr Stanhope:** Let us test that in the High Court, Bill.

**MR STEFANIAK:** Maybe Jon. Obviously there is still a problem. You have not recognised it and now you are seeking to do this.

**Mr Barr:** What is the problem?

**MR STEFANIAK:** The fundamental problem is you are equating a civil union with a marriage. You know that yourselves, and now you are faced with this situation. I put it to you several weeks ago, and I put it to you again, that if you had adopted the Tasmanian model, you would not have got yourselves into this pickle. So whilst we can understand what you are trying to do, we agree with the notion and support the right—

**MR SPEAKER:** Mr Stefaniak, you should not reflect on a vote of the Assembly.

**MR STEFANIAK:** Thank you, Mr Speaker. Whilst we agree with the notion and support the right of the territory to write to the Governor-General—we do not have a problem with that—I think there are some problems with the text of the proposed address and we certainly do not support the sentiments in it. Later on you will be introducing another bill, which might well be problematic, but we will leave that debate to that time.

There are a number of problems with what you are doing here, and I have an amendment that I will speak to. The fifth paragraph on page 1104 of the notice paper states:

The Civil Unions Act is a lawful exercise of the legislative power of the parliament of the Australian Capital Territory, made in pursuance of a political mandate given the parliament by the people of the Australian Capital Territory.

Mr Speaker, I do not know if I have to seek leave to move an amendment.

**MR SPEAKER:** No, you can move it.

**MR STEFANIAK:** I might as well talk to it now.

**MR SPEAKER:** Would you like to move the amendment, Mr Stefaniak?

**MR STEFANIAK:** Yes. I move:

Omit paragraph 8, namely:

The *Civil Unions Act 2006* is a lawful exercise of the legislative power of the parliament of the Australian Capital Territory, made in pursuance of a political mandate given the parliament by the people of the Australian Capital Territory.”

This paragraph is, I think, one of the fundamental problems. I have already indicated that we have some problems with act that was passed, including the amendments. The federal parliament also has some problems with it. We query whether the act is a lawful exercise of the legislative power of the parliament of the ACT. There are still problems in relation to the federal Marriage Act, and there may well be constitutional problems. I do not think that is necessarily an accurate statement. My amendment would delete it.

There is one further problem, admittedly a technical one, with the text. The paragraph refers to the legislative power of the parliament of the ACT. I think it is fairly clear that actually we are not a parliament. We do not have a writ from the Governor-General. We do not have an administrator. We are, in fact, an Assembly. That point, while technical, is another problem with the motion. My amendment would delete paragraph 8 because we do not think it is an accurate statement. Quite clearly, it is highly debatable whether

the act that was passed is a lawful exercise of the legislative power of this Assembly made in pursuance of a political mandate given the parliament by the people of the ACT.

The seventh paragraph on page 1104 states:

The Commonwealth has indicated publicly that it will seek to disallow the Civil Unions Act 2006 on the basis that it trespasses on a legitimate area of Commonwealth policy, namely that dealt with in the Marriage Act.

The next paragraph states:

The Australian Capital Territory disagrees with the proposition that the Civil Unions Act has such an effect.

The government has the numbers and this motion will obviously be passed. We do not take umbrage at the term “the Australian Capital Territory”. Obviously, once a motion passes, “the Australian Capital Territory” means that the majority of members of this Assembly voted for the motion. However, your motion states that the commonwealth has indicated that the act “trespasses on a legitimate area of commonwealth policy, namely that dealt within the Marriage Act”, and you disagree with that proposition.

Well, the opposition does not. We think the commonwealth actually is right in indicating that it will seek to disallow the Civil Unions Act on the basis that it trespasses on a legitimate area of commonwealth policy, namely that dealt with in the Marriage Act. We believe that the commonwealth is right and that the act actually does trespass in relation to the Marriage Act.

Obviously, in writing to the Governor-General, you are seeking further clarification and further amendments to the enactment to clear the matter up, and that is indeed the right of the territory. But, in respect of the statement that the territory disagrees with the proposition that the act trespasses on a legitimate area of commonwealth policy, we place it on the record that we believe that, at this point in time, that is a correct statement of the law. Accordingly, we believe that the eighth paragraph on page 1104, which states that the territory disagrees with the proposition, is in fact wrong. It may well be that you can salvage something further down the track as a result of the steps you are taking, but at this stage we say the commonwealth is right. We have said that all along. We said that during the debate on your amendments, which were passed.

The motion, in part, states:

This is the first time the Governor-General will be requested to disallow a law of the Australian Capital Territory under section 35. This is an exceptional request, which will inevitably form the basis for future precedent, not just in relation to the Australian Capital Territory, but in relation to self-governing territories and other polities, including the Commonwealth itself.

To my mind, that is the first time that has occurred. We are a fairly new Assembly and this Assembly has experienced a number of firsts in its time. Certainly the government has indicated it is doing a few things that are firsts. The government proudly trumpets that this bill is an example of that. But I think it is a little bit rich for the government to

say that this is the first time that this has actually occurred. There is a first time for everything.

The Liberal Party stands by its position on a registration scheme. We think that is the best way forward. If the government had accepted that proposal, there would be no need for this action. There would be no need to get into a fight with the commonwealth, especially during the time of an appalling budget. It is a good distraction. You would not be in this situation if you had accepted what occurs in Tasmania. I think there was unanimous support for a sensible piece of legislation of the kind accepted by same-sex groups in Tasmania, legislation that deals not only with the registration of same-sex couples and accords them all the privileges of law that flow from that, but also other relationships, such as caring relationships. That certainly was our preference. That would not have resulted in all the convoluted problems that you have brought on yourselves.

That being said, we support the right of a territory government to approach the Governor-General. It is the right of a territory government. We agree with the notion, but not the sentiment. In so agreeing with the right to do that, I point out the significant problems in your bill. I point out what you should have done. You knocked back a better scheme. Ultimately, at the end of whatever process we now go through, you may be forced to accept a sensible scheme like the one that operates in Tasmania. It seems to me that you have, all along, perhaps deliberately tried to pick a fight with the federal government.

**Mr Mulcahy:** Yes.

**MR STEFANIAK:** One of my colleagues agrees that that is probably the case. It is a very good distraction. It was done at a time when your budget was pretty well framed, a budget that seems to have incurred the ire of most people in the ACT. It certainly is a good distraction.

I commend our amendment to the Assembly. I have pointed out a few other problems we have with the motion, but fundamentally paragraph 8 is the one that should come out. Even if you think that the Civil Unions Act is a lawful exercise, you still have a problem in referring to us as a parliament. I commend the amendment to the Assembly.

This motion will get up. We certainly support the right to write to the Governor-General. It will be interesting to see what actually flows from this. The motion correctly notes that the Australian Capital Territory does not seek to interpose contrary advice from that which might be provided to the Governor-General by the federal Executive Council, and that is an appropriate statement to make in a motion like this.

I want to place on the record the problems that we have with the act that actually was passed, what the government should have done to avoid getting yourself in this pickle and also our comments in relation to the right of the territory to petition the Governor-General. Certainly the territory has that right, and the opposition has no problem with the exercise of that right. It is the situation you have got yourselves into with the passage of the act that we have significant problems with.

I flag today that the opposition will not support your bill to amend the act. I have not seen the bill. I understand what you are trying to do, but we have been, and will continue

to be, quite consistent in relation to our opposition to the legislation. You rejected our alternative; you might yet be forced to accept it. Certainly the territory parliament has every right to write to the Governor-General, and in that we support you.

**DR FOSKEY** (Molonglo) (11.02): I cannot help but speak strongly today. I have listened to Mr Stefaniak put his case and I have listened to Mr Corbell put his case. Not surprisingly, I come down fully in favour of the government's motion.

There are a number of reasons. This is not a knee-jerk response. As far as I am concerned, there are two primary attacks in the federal government's threats, and I am very sorry that the opposition did not respond to them. First of all, perhaps first and foremost, typifying the whole of the Howard period of government is an approach to, and a vision of, society that excludes the rights of minorities. In fact, we might see this as the Howard-Ruddock threat, because I am sure that Ruddock is just as much involved. I must say that quite a number of Liberal people in the federal government do not agree and have expressed that view to their leaders.

What we are seeing here is social engineering on a grand scale. It is a denial of what people already do and a denial of people's human rights. It is a positioning of a one very much larger group of people above another in the hierarchy of rights. It is antithetical to a fair and just society. The ACT has always been accused of social engineering, but I think we would have to admit that this is social engineering on a much larger scale by a government that wants to position itself as being more powerful than our own.

I believe that what we are seeing is a campaign at the federal level to reduce the power of other legislatures. The federal government has been doing this through the use of economic tools. We know that the GST was partly about increasing the federal government's power over the economies of states and territories. That is a very powerful tool for manipulating states and territories, but it is not quite enough. We have the economic right, but we also have the moral right. The federal government has chosen to misrepresent those views.

I would say that there is a particular attack and focus on the Australian Capital Territory because, although our human rights legislation does not go as far as the Greens would like it to, it is setting a hurdle higher than the federal government could, or would want to, reach. That human rights legislation could be contagious, because Victoria has just introduced a bill of rights and there is a growing national campaign for a bill of rights. This is not something that the federal government wants to see.

The Liberal opposition, I thought, would express a view today that showed that it recognises that it is between a rock and a hard place. It may still remember that it is descended from a proud tradition, a respect for civil liberties and freedom from despotic, autocratic governments. That, I believe, is the origin of liberalism. It is a tradition, a particular political line that has done western society a great service.

If it retained those traditions, it would be up in arms about the federal government's autocratic and moralistic suppression of legislation that enhances the civil rights of a group that has, from time immemorial and usually under the guise of religion, been denied the same rights as the majority of Australians. The opposition must feel torn

between defending the territory's right to make legislation and the federal government's power to overrule it. It must be. Why are not we hearing that?

Sadly, it seems to have opted for the line it usually takes. If Kerr was Fraser's cur, then the ACT Liberal opposition is Howard's pack. This was the moment for the opposition to stand up and show that it is for the people of the ACT, including people whose sexual orientations, I assume, they do not share. But is that relevant? Apparently not.

**Mrs Dunne:** No, it is not.

**DR FOSKEY:** You can tell us about that, Mrs Dunne. It has shown that it sees its role differently. It grudgingly supports this motion. Why cannot it support it proudly, for God's sake? Why cannot it say, "We believe that the ACT Legislative Assembly has the right to set legislation on these matters, and we will defend that right"? Even if it does not agree with the legislation, it should be prepared to defend it proudly.

I am sick of hearing how the Liberals proposed this register of relationships, or something like that and that the federal government would have approved of that. It would not, because it is mealy-mouthed, and that is not what the people wanted. That is my position on this motion. I support the ACT government in fighting this one all the way.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Arts, Acting Minister for the Territory and Municipal Services and Acting Minister for Multicultural Affairs) (11.08): I certainly am very pleased today to support the motion that the Attorney-General has moved that there be an address to His Excellency the Governor-General on the Civil Unions Act 2006. Mr Corbell has quite fully explained the basis for the address and its purpose, and I will not dwell at length or in detail on the issues that have been comprehensively covered by Mr Corbell in his introduction of this particular motion.

I state quite clearly that the two issues of principle, the democratic rights of the people of the Australian Capital Territory and the rights and powers of this Assembly, need to be protected. If they are not protected by the Assembly, by the parliament itself, then we are abrogating our responsibilities to the Assembly, to the sovereignty of this parliament and certainly to the lawful and reasonable expectation of the people of the Australian Capital Territory on the rights invested in this Assembly by the self-government act, essentially our constitution, to make laws, as Mr Corbell has said, for the peace, order and good governance of the Australian Capital Territory. By implication, all of its residents will not receive the protection and support that those very important principles deserve.

It is an important principle and I would have expected all members of this place, most particularly the opposition, to join with the government in asserting those rights clearly, loudly and unambiguously. This is not a time, an issue or a circumstance in which to wobble, to shilly-shally or to equivocate. This is a very simple and fundamental principle about the democratic rights of the people of the Australian Capital Territory to be represented in this Assembly and for this Assembly to be able to pursue its lawful role as lawmaker and its constitutional right to make laws on areas consistent with the

constitutional range of powers prescribed within the self-government act such as a law that we have passed, the Civil Unions Act.

That respect is not being shown to the people of the Australian Capital Territory by the commonwealth government in its determination to have disallowed the Civil Unions Act under the auspices of section 35 of the Australian Capital Territory (Self-Government) Act itself. The territory and the Assembly acknowledge, in the address, the fact that the self-government act certainly allows the commonwealth the capacity under section 35 to advise the Governor-General of the commonwealth's position that a certain enactment should be either disallowed or that amendments should be recommended to it. It is in that particular context that this address is so appropriate.

In the first instance, we draw attention to the fact that this legislation, the Civil Unions Act, is legislation enacted lawfully, consistent with the powers of the Assembly, following and in pursuance of, quite clearly, a mandate presented to the government through the election process—not just that this government was elected to govern the territory but that in fact the Labor Party, in the context of the last election, campaigned actively on the fact that we would propose, if re-elected, to remove all legislative discrimination against gays and lesbians within this community, including that we would recognise through legislation the relationships of gay and lesbian couples.

There is a clear mandate for this legislation from the people of the Australian Capital Territory represented by the election of the Labor Party to government on a platform which included the very matters legislated for in the Civil Unions Act. We campaigned on this issue. It is part of the platform position of the Australian Labor Party. We acknowledged that; we campaigned on that; we undertook in the campaign, if elected by the people of the Australian Capital Territory, to legislate in this way.

That is a clear political mandate delivered to the Australian Labor Party in government to legislate in the very way that we have legislated. And it would be an absolute denial of the democratic rights of the people of the Australian Capital Territory for the commonwealth now to assert that, because it has a particular ideological position in relation to this piece of legislation, it should be disallowed.

The commonwealth had other options available to it. It could have pursued this matter otherwise. It could have asserted in its case that the Civil Unions Act was inconsistent with the Marriage Act. It could have introduced legislation and, in insisting that the Civil Unions Act was inconsistent with the Marriage Act, it might have chosen to have the matter tested in the High Court. We would have accepted that and would have represented our position. We would have argued most strongly that the Civil Unions Act 2006 is definitely not inconsistent with the Marriage Act.

One wonders why the commonwealth did not pursue that particular path. Is it that the commonwealth would not like to see the matter agitated in the High Court? I would be very interested in seeing the matter agitated in the High Court. The High Court makes forensic legal sense. It would have been interesting to see what the High Court might have had to say about the Marriage Act, its operations and its provisions. It would have been very interesting to see what some of the judges of the High Court might say about any inconsistency between the Civil Unions Act and the Marriage Act.



That would have, essentially, been the most appropriate path for the commonwealth to follow if it were concerned. It should have sought to have the matter agitated and determined by the High Court. But it chose not to do that. One is entitled to ask: why not? It could have done what it did on the issue of euthanasia. It could have introduced in the federal parliament, because of its plenary powers under section 122 of the constitution, legislation to remove from the territories a capacity to legislate in this particular area. One then asks, obviously, the question: why did it not do that in relation to euthanasia?

There is an interesting response to that, too, because the commonwealth, faced with the possibility of drafting legislation to exclude from state and territory ambit the power or capacity to make laws in relation to homosexual people, would have presented some very interesting issues for legislators on human rights consistency with commonwealth legislation on human rights and discrimination and the rights of all Australian citizens to be treated equally. We know why the commonwealth has not pursued that particular path. We know the difficulties that the commonwealth would have faced in crafting legislation to exclude from the ambit of territory law-making power laws on homosexuality or gay and lesbian people.

The third option, which they took, essentially the coward's route, was to petition the Governor-General, to involve him, to embroil the Governor-General in a political dispute on the appropriateness of legislation. They have done it pursuant to section 35 of the self-government act. Section 35 (4) of that act permits or encourages the Assembly to address the Governor-General on any application which the commonwealth may make on the disallowance of an enactment of the Australian Capital Territory. It is appropriate—in fact, it is the expectation—that, under section 35 of the self-government act, the Assembly does precisely what the Attorney-General proposes today and addresses to the Governor-General our response to the issues which the commonwealth has raised with him.

It is a matter of regret that His Excellency the Governor-General will now, as a result of this process initiated by the commonwealth, be embroiled in a political issue which is being agitated between two governments and will be asked to make a decision. The Governor-General cannot now walk away from the request implicit in this address that he determine exactly what it is about our legislation which offends the Marriage Act and then advise us what it is that we may do to overcome the commonwealth's objections vis-a-vis the alleged inconsistency between the Civil Unions Act and the Marriage Act. That is what we are asking of the Governor-General. I wish we were not, but we are. And it is appropriate that we do so. The address and this motion should be supported.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (11.19): My colleagues have covered most of the ground on this, but I believe there are a series of questions that need to be asked of the Liberal Party, both at the federal and ACT levels. The first one is: what is it that they have against recognising and strengthening relationships and what is it about supporting, loving and caring relationships that they oppose? This government and this Assembly have made a clear statement that they believe that all loving and committed relationships deserve to be treated equally and to be celebrated. The

Assembly has stood up for what it and the citizens of this territory overwhelmingly believe in.

The other question that the Liberal Party has to answer—and I look forward to some of their members making this contribution later—is: what exactly is it about a civil union that undermines marriage? What is it about Anthony and me, living next door to all of you in this community, and our relationship that undermines yours? What is it?

**Mr Mulcahy:** No-one has got an issue with that.

**MR BARR:** There is a range of people who have an issue with that. There are some evil, religious—

**Mr Stanhope:** You cannot have it both ways on this issue.

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

**MR BARR:** There are some people who are motivated by religious fundamentalism. Some of them sit in the Senate for the Liberal Party. Guy Barnett is an example. A range of those individuals are really behind this. This is all about John Howard's dog whistle to the religious right. That is what this is about. It is not about mainstream Australia; it is not about the values that mainstream Australians hold.

That is shown time and time again in opinion polling and in the values that even moderate Liberals hold—people like Warren Entsch. He is not someone who I would traditionally say is someone who holds the view of mainstream Australia. Warren Entsch is from Far North Queensland. He is not someone that you would necessarily say would be a champion for these sorts of issues. But Warren Entsch, a sensible man, has now come forward and said that it is unacceptable that this sort of discrimination that John Howard seeks to continue by seeking to veto this legislation can continue.

I know there are a lot of people in the Liberal Party who are very uncomfortable with this proposal. Gary Humphries has expressed his concerns. It is about time some of his former colleagues, people here, got up and had something to say about that, or do they not believe in our democracy anymore? Is that it? Have you lot lost your spine? Is that really it? Is that where you are at? If that is the case, if the Liberal Party supports this federal intervention in the territory, if members opposite support that, they should resign from this place now. Go. If you do not value your role as legislators in the territory, then resign now.

Alternatively, you could get up and say why you believe that a civil union, people in same-sex relationships, ought to be treated differently. What is it about all of the consequential amendments in the Civil Unions Bill that offend the Liberal Party so? Apparently it is because of the statement in the bill that a civil union is not marriage but shall be treated under territory law the same as marriage. That is the offensive part of this legislation.

What is it about the Administration and Probate Act that makes you think a married couple deserve to be treated differently? Why would you elevate marriage for the purposes of the Civil Law (Wrongs) Act, the Crimes (Restorative Justice) Act, the

Discrimination Act, the Evidence Act and the First Home Owner Grants Act? What is it about that legislation that you need to put marriage on a pedestal?

Is marriage such a weak institution that it cannot stomach, and it will all fall over, if same-sex couples are given the same legal rights for the purposes of the Sale of Motor Vehicles Act, the Testamentary Guardianship Act 1984, the Legal Aid Act 1977 and the Land Titles Act 1925? Will all of that undermine marriage? Is that the end of the world? It is unbelievable. That is the practical effect of the legislation. The practical effect of the legislation is to deliver equality across all of those acts. They are all the consequential amendments. That is what is meant when we make the statement that a civil union will be treated the same under territory law. They are the territory laws that are being talked about.

What is it—and this is perhaps a question that John Howard needs to answer—about a civil union and a same-sex relationship being treated the same under the First Home Owner Grant Act? I understand it is commonwealth policy and that in fact they will recognise a same-sex relationship under the First Home Owner Grant Act because it involves handing out money. That is terrible. For taxation purposes, for superannuation purposes, my partner of seven years does not exist. When I fill out my tax return I have to declare that I am single. It is that sort of discrimination that is unacceptable.

No-one is prepared to get up and say why. No-one in the federal Liberal Party and no-one here will get up and support that sort of discrimination. That is what it is about. That is what this parliament, this Assembly, is trying to get rid of in our society. No-one here on the Liberal side of politics is prepared to get up and defend that discrimination. It is an outrage.

I fully support this resolution going to the Governor-General. It is very, very important that those who are seeking to overturn this ACT legislation state clearly why that is so and what it is that is fundamental about marriage that means it has to be treated so differently in territory legislation like the First Home Owner Grant Act, the Legislation Act, the Powers of Attorney Act and the Sale of Motor Vehicles Act. What is it about that legislation that means marriage needs to be elevated? They do not have an answer to that. They are not prepared to get up and defend that sort of discrimination in our society. They are gutless. That is why.

**MR SPEAKER:** Order! Members, there are too many conversations going on. Mr Barr has the floor.

**Mr Stefaniak:** You are wrong. Check out the 2003 legislation.

**MR SPEAKER:** Mr Stefaniak, that includes you.

**MR BARR:** It takes more than marching in the mardi gras. I know Mr Smyth has done that. I welcome that. That is a good thing, and I am pleased he did it. But what really matters, Mr Smyth, is how you vote in this place and how you argue within the Liberal Party about how you—

**Mr Smyth:** Have you missed the point? We are voting for the motion.

**MR SPEAKER:** Order, Mr Smyth!

**Mr Smyth:** I apologise, Mr Speaker. I was baited from across the chamber.

**MR SPEAKER:** Thank you.

**MR BARR:** Thank you, Mr Speaker. That is what really matters. You cannot walk both sides of the street on this—you just cannot. The people who earlier were opposing both the Tasmanian registration scheme and any move at all to recognise same-sex couples and who reluctantly came on board and prompted the Liberal Party to move their registration bill have now gone public and said, “No, the whole thing is stuffed. You should move away from the lot.” They are now backtracking on their position.

The Australian Christian Lobby, the ones who had the huge fight with the salt shakers about in any way recognising gay and lesbian people and who made a small concession to prompt the Liberal Party to put up the registration bill, have now issued a media release saying that you should not recognise same-sex couples at all. This is fundamentally it. That was all about trying to get a second-rate registration scheme here in the ACT.

**MR SPEAKER:** Mr Barr, you should not reflect on a vote of the Assembly.

**MR BARR:** There are a number of people within the Liberal Party, I know, who are very uncomfortable—and I come back to that point—about what the federal government are proposing here. I call on them, if this becomes a disallowable instrument in the federal parliament, as I understand is required if the Governor-General seeks to intervene, to have some guts and stand up for what they believe in. It is Warren Entsch and a range of people. It is also the senators, including Gary Humphries. I welcome the comments Senator Humphries has made already in this debate.

In closing, this is about values; this is about where Australian society is heading. We have taken a sensible, moderate step to be tolerant and inclusive in our society. If the Liberal Party has a problem with that, then it just leaves me speechless.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (11.29): Speaking to the amendment, we are yet to hear any compelling argument from those on the other side of the chamber. Their silence is deafening, because they know their position is absolutely untenable. That is reflected in this amendment proposed by Mr Stefaniak. His amendment in fact refutes that the Civil Unions Act is a lawful exercise of the legislative power of this Assembly made pursuant to a political mandate given to elected representatives in this place by the people of the Australian Capital Territory.

I simply draw Mr Stefaniak’s attention and the attention of other members opposite to the self-government act. The self-government act 1998 outlines the matters concerning which the executive has power to govern the territory. One of those matters is civil liberties and human rights. That says it all. This legislation is about equality before the law. The self-government act provides for this Assembly to make laws and provides for the executive to govern on issues of civil liberties and human rights.

What is the Civil Unions Act? It is an act to eliminate discrimination on the basis of sexual preference. That is what the Civil Unions Act is. It is about eliminating what was lawful discrimination on the basis of someone's sexual orientation.

For Mr Stefaniak and for those opposite to say, "We are quite happy for you to go to the Governor-General but we do not agree that you had the power to make this law," flies in the face of the self-government act. But more importantly, it also flies in the face of statements by past chief ministers of this place, including two Liberal chief ministers. In recent days, Senator Humphries and Ms Carnell have both gone on the public record expressing their strong concerns about the steps being taken now by the commonwealth government to override our legislation.

All we have from those opposite are weasel words. As Mr Barr says, they try to walk both sides of the street. You cannot. Aside from the issue of the civil unions legislation, they have not in any way addressed the fundamental issue which is at stake here, which is: do they agree that any law lawfully passed by this place should be allowed to stand? Do they agree with that or not? Past chief ministers do, including two of their own. Do they, as legislators, as elected representatives of the people of Canberra, believe that, regardless of whether or not they agree with the policy, a law lawfully made by this place should not be overturned? That is the challenge for them today.

They are deafening in their silence. All that can signal to this place and to the members of our community is their complicity with the federal government's decision and their agreement that it is okay for legislation lawfully made by this place to be overturned. Is it okay, Mr Smyth? Is it okay, Mr Stefaniak, through you, Mr Speaker? Is it okay that their powers can be trodden on, overturned and ignored by the decision of the executive of another government in a way that has no regard for the wishes and the political mandate vested in this place by the people of the ACT?

This is a shameful day for the Liberal Party in the Australian Capital Territory. It is shameful that they are not prepared to stand up and defend the rights of the Legislative Assembly to make laws for the people of our territory. Where do their loyalties lie? They do not lie with the community; they lie with John Howard.

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (11.34): I seek leave to speak again to the amendment. I want to make a couple of points on what the minister said.

Leave granted.

**MR STEFANIAK:** Very briefly, I do not think the minister has understood one iota of what we have been saying on this side of the house. One, we support your motion to go to the Governor-General. Two, we think there are huge, significant problems with your Civil Unions Bill as passed. In that regard, it is questionable whether it is a lawful exercise of power.

**MR SPEAKER:** Order! Mr Stefaniak, you cannot reflect on a vote.

**MR STEFANIAK:** I reiterate that that we support your motion to go to the Governor-General, because that is the right of the territory and that is something that we will always support. Three, we do not think your Civil Unions Bill is the right way to go. We have had that debate.

**Mr Corbell:** Should that override the law, Mr Stefaniak?

**MR STEFANIAK:** I have already told you we support your right to go to the Governor-General. Just get your facts right.

Amendment negatived.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (11.36), in reply: Very, very briefly, in closing the debate, I thank members for their comments on this motion. This is an important step that the territory, through the Assembly, is making today. The steps that will follow from this are for you, Mr Speaker, to communicate this message, this address, to His Excellency. I hope to see all members who feel strongly about this issue and who reject the commonwealth's proposals to overturn our legislation join with you in presenting personally this address to the Governor-General.

I again reiterate the point I have just made: we are yet to hear from the Liberal Party any claim that overturning this legislation is unacceptable. In fact, they are silent on that point. Clearly, they believe it is okay for a piece of legislation made lawfully by this place to be overturned simply by brute legal force.

This is an important opportunity for us to communicate our complete opposition to the proposal put forward by the federal government. We will be forcefully pursuing all avenues to see that this legislation and the rights of this place are always upheld.

Motion agreed to.

### **Standing orders—suspension**

Motion (by **Mr Corbell**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent the Assembly proceeding to a vote on the Address.

Question put:

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

The Assembly voted—

Ayes 15

Noes 0

Mr Barr	Mr Mulcahy
Mr Berry	Ms Porter
Mr Corbell	Mr Pratt
Mrs Dunne	Mr Seselja
Dr Foskey	Mr Smyth
Ms Gallagher	Mr Stanhope
Mr Gentleman	Mr Stefaniak
Mr Hargreaves	

Question so resolved in the affirmative.

Motion agreed to.

## **Public Interest Disclosure Bill 2006**

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

Title read by Clerk.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Arts, Acting Minister for the Territory and Municipal Services and Acting Minister for Multicultural Affairs) (11.42): I move:

That this bill be agreed to in principle.

The ACT government is strongly committed to the highest standards of accountability and probity. People who disclose information about maladministration in government, whether this is occurring because of negligence, fraud or other improper conduct, are performing a valuable public service. These people are currently protected from reprisals under the Public Interest Disclosure Act 1994. I am proud to say that the ACT was one of the first Australian jurisdictions to enact legislation protecting whistleblowers.

In 2004, 10 years after this legislation was enacted, the government conducted a review of the Public Interest Disclosure Act, releasing a discussion paper outlining various options for a new and improved system for making public interest disclosures. The government received and considered submissions from the public, including submissions from organisations such as Whistleblowers Australia. The product of this public consultation process is the bill that I have now introduced, containing a new and improved scheme for making public interest disclosures and protecting disclosures from reprisals.

First and foremost of these protections is the system of confidential disclosures established by the bill. Confidentiality of disclosures is ensured by protecting the identity of disclosers from all but the few people who must be involved in investigating a public interest disclosure. The act makes it an offence for anyone who obtains information

about the identity of a discloser revealing it to anyone else without proper authority under the act.

By limiting the number of people who know about a public interest disclosure, the chances that a person will be subjected to the more subtle forms of reprisal are significantly reduced. These types of reprisals can be very damaging to reputation and career prospects and are a real barrier to encouraging people to report improper conduct. In cases where a discloser is not willing to identify themselves at all, it is more difficult to establish whether the information has been revealed in good faith. However, the act will allow investigations to proceed where a disclosure is made anonymously as the allegations may be so significant that they must be investigated.

The bill also protects a person who makes a disclosure from reprisals that are more overt. The immunity provided by the bill specifies that making a public interest disclosure is not a breach of confidence, a breach of professional ethics or a breach of professional conduct. A person cannot be subject to disciplinary action or dismissal from their employment for making a public interest disclosure and does not incur any civil or criminal liability because of making a public interest disclosure.

The bill includes new offences punishable by heavy fines and imprisonment for up to a year. It will be an offence to injure, harass or discriminate against a person in an attempt to deter them from making a public interest disclosure or to punish them for making a public interest disclosure. A person who feels that they have been injured, harassed or discriminated against for making a public interest disclosure will be able to sue for damages and will also have access to remedies under the Human Rights Commission Act 2005. This will include orders to stop particular conduct, compensate loss or damage or relocate a person to a new job.

While confidentiality of disclosures to protect informants is a primary objective, the bill also includes measures to ensure that this confidentiality cannot be abused by government bodies to prevent maladministration being exposed or addressed. The bill requires that all public interest disclosures must be reported to an independent supervisor. The Commissioner for Public Administration will supervise disclosures relating to employment matters. The Auditor-General will supervise disclosures relating to financial mismanagement. The ACT Ombudsman will be able to supervise any public interest disclosure, including those relating to the Commissioner for Public Administration or the Auditor-General.

The supervisor is able to step in and take responsibility for investigating a public interest disclosure if satisfied that it would be better for the supervisor to investigate the matter. This might occur, for instance, when a disclosure implicated a chief executive officer of a government body. The supervisor can also review any decision of a government body to refuse to investigate or to cease investigating a public interest disclosure. The supervisor is also responsible for ensuring that chief executive officers of government bodies take appropriate action to protect the public interest once an investigation has been completed and the investigator has made recommendations.

The bill clearly sets out processes for reporting and investigating public interest disclosures. This includes a specific provision about referral of matters to the police and



detailed requirements for keeping disclosers informed about the progress of investigations.

The bill provides greater guidance about what constitutes a public interest disclosure, providing examples of conduct that is contrary to the public interest and emphasising that the disclosure must be about matters that affect the public interest. This means, for instance, that individual employment grievances that do not raise wider public interest issues would not be dealt with under the act and would instead be dealt with under grievance procedures established in industrial agreements or under the Public Sector Management Act 1994.

The bill also establishes a list of specified exclusions to the requirement to investigate a public interest disclosure, for instance, to ensure that public resources are not wasted on investigations and disclosures that are trivial or insubstantial or that could be dealt with in a better way. For instance, information concerning a work safety program might be more appropriately dealt with through an investigation under the Occupational Health and Safety Act 1989.

The bill clearly identifies which government bodies can be the subject of a public interest disclosure. A broad approach is taken, including all public sector agencies, statutory officeholders, territory authorities, territory-owned corporations and their subsidiaries and the Legislative Assembly Secretariat. The bill will require central agency coordination of a register of public interest disclosures and regular reporting to the Assembly about the number of public interest disclosures made across the government and how long investigations are taking.

More detailed information about the bill's provisions is contained in the explanatory statement which I presented to the Assembly with this bill. I commend this bill to the Assembly.

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

## **Road Transport (Safety and Traffic Management) Amendment Bill 2006**

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

Title read by Clerk.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Arts, Acting Minister for the Territory and Municipal Services and Acting Minister for Multicultural Affairs) (11.50): I move:

That this bill be agreed to in principle.

I am pleased to present this amendment bill to the Assembly. The purpose of the bill is to clarify the period the chief police officer is required to keep vehicles seized in relation to committing certain dangerous driving offences. The Australian Federal Police has

identified an anomaly in the provisions of the Road Transport (Safety and Traffic Management) Act 1999, the act, following a specific incident last year where a person was apprehended and a vehicle seized.

By way of explanation, division 2.3 of the act provides for the seizure, impounding and forfeiture of vehicles for certain offences. These offences are races, attempts on speed records, speed trials, burnouts and other prohibited conduct, including menacing driving. Section 10C of the act provides that a police officer may seize a vehicle if the officer believes that the vehicle is being or has been used by a person in committing a relevant offence.

Section 10B of the act provides that, if the court convicts a person or finds them guilty of a relevant offence, then for a first offender the vehicle is impounded for a maximum of three months, unless the court otherwise orders. Any period the vehicle has been seized and impounded by police is deducted from the three-month period applicable to a first offender.

Section 10D currently provides that the chief police officer must keep the vehicle until the earliest of the following happens: the person is dealt with by a court for the offence, an infringement notice is served on the alleged offender, or if a prosecution to the offence is not started within 28 days this period has elapsed.

However, the existing provisions of the act do not envisage the circumstances where matters could take longer than three months to be finalised by the court. Accordingly, the bill amends section 10E (1) of the act to also enable the chief police officer to release the vehicle three months after the date it was seized in the case of a person who is being brought before the courts as a first offender.

While not a large change, this amendment will ensure the impoundment powers of police do not exceed those of the courts. These acknowledge that there are a number of areas in which the act engages human rights. Some areas, particularly the vehicle seizure and impoundment provisions, may require further consideration by government in terms of compatibility. These provisions will be reviewed as part of a wider human rights audit of the act in due course. I commend the bill to the Assembly.

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

## **Standing orders—suspension**

Motion (by **Mr Corbell**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent, upon presentation of the Civil Unions Amendment Bill 2006, debate on the question “That this Bill be agreed to in principle” being adjourned until a later hour this day.

## **Civil Unions Amendment Bill 2006**

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

Title read by Clerk.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (11.53): I move:

That this bill be agreed to in principle.

I am introducing the Civil Unions Amendment Bill 2006 as a matter of some urgency. The purpose of the bill is to amend requirements for the minimum period of time between the giving of notice of intention to enter into a civil union and the entering of the civil union. Specifically, this bill will shorten the minimum time requirement in section 11 of the act from one month to five days.

Section 11 provides that two people who have given the required notice of their intention to enter into a civil union may then enter into a civil union by making a declaration before a civil union celebrant and at least one other witness. The act currently states that this declaration must be made not earlier than one month after the day the notice was given to the civil union celebrant. The amendment shortens this minimum period to five days.

The government feels compelled to take this action because of the federal government's recent announcement that it intends to override the Civil Unions Act 2006. The federal government's decision is unacceptable and undemocratic. It is important that ordinary Canberrans be given the opportunity as soon as possible to be part of a civil union.

This is legislation that should be available to the people of the ACT. This bill will facilitate civil unions occurring by reducing the notification period for people indicating they wish to enter into a civil union. As a complementary measure, the government will bring forward the commencement of the act so that it will commence within the next two weeks.

Ordinary Canberrans in same-sex relationships are entitled to have the same rights under the law as other members of the community. This is fair, reasonable and just. By overriding the Civil Unions Act, the Howard government is imposing its conservative, moral views on the thousands of people who are in loving, committed and meaningful same-sex relationships. This step will allow Canberrans in same-sex relationships to enter into a civil union quickly and to show the Howard government their support for this legislation. I commend the bill to the Assembly.

Debate (on motion by **Mrs Dunne**) adjourned to a later hour this day.

## **Working Families in the Australian Capital Territory—Select Committee**

### **Alteration of reporting date**

**MR GENTLEMAN** (Brindabella) (11.57): I move:

That the resolution of the Assembly establishing the Select Committee on Working Families in the Australian Capital Territory, agreed to on 5 May 2005, be amended as follows: Omit "first sitting day in August 2006", substitute "first sitting day in October 2006".

I move this motion in consideration of recent discussion within the Select Committee on Working Families in the ACT and separate discussions between the government and opposition whips. Members may be aware of a motion from Mrs Burke and an amendment currently sitting on the notice paper regarding changes to the reporting period and terms of reference of the Select Committee on Working Families in the ACT.

The Assembly has given leave to the mover of the original motion to attend a Commonwealth Parliamentary Association conference at the time debate on the motion is due to conclude. I feel it may be unparliamentary to deal with this original motion in Mrs Burke's absence. However, I note that, at this time, the machinery of the committee continues. I therefore ask the Assembly to amend the reporting date so the committee can work on the government's response to the interim report and also allow Mrs Burke to close debate on her motion on her return. I urge members to support the motion.

**MRS DUNNE** (Ginninderra) (11.58): The opposition supports this motion, which is essentially procedural and is outlined in the way Mr Gentleman has described. I thank the government for accommodating this issue and for acting in a parliamentary way. It was within the power of the government to conclude the debate in Mrs Burke's absence and they have appropriately declined to do that. This was a stopgap measure suggested by me and which Mr Gentleman has agreed to. I thank him for this, but I would also like to note for the record that this stopgap measure ensures that Mr Gentleman draws another two or three months salary as chairman of the committee, which is of dubious value to this Assembly and to this territory.

Question resolved in the affirmative.

### **Legal Affairs—Standing Committee Report 3**

**MR SPEAKER:** Mr Stefaniak is not here. Who is the deputy chair?

**Mrs Dunne:** Only Mr Stefaniak can do it. We have called him, but he is not here yet.

**MR SPEAKER:** The question is that the report be noted.

**Mrs Dunne:** Can I move that this matter be adjourned until later in Assembly business?

**MR SPEAKER:** We will run out of time, Mrs Dunne.

**Mrs Dunne:** No, sorry. I cannot do that because this is the end of Assembly business.

**Dr Foskey:** Can I do it on behalf of the committee?

**MR SPEAKER:** I am advised no—only Mr Stefaniak. If it is merely passed that it be noted, that is the end of the matter and it goes off the notice paper. The intention was that Mr Stefaniak would discharge it, so it is a matter of merely noting the report and that is the end of the matter.

**MRS DUNNE** (Ginninderra) (12.00): I move:

That the report be noted.

**MR SPEAKER:** The question is that the report be noted. Then, if everybody does nothing, I will put the motion.

**MRS DUNNE:** Okay.

**MR SPEAKER:** Unless you specifically want to speak on the issue.

**Dr Foskey:** The motion was that the matter be discharged. I can move that as a member of the committee.

**MR SPEAKER:** Only the member in charge of the motion. The question is that the report be noted.

Question resolved in the affirmative.

### **Education, Training and Young People—Standing Committee Report 3**

**MS PORTER** (Ginninderra) (12.01): I present the following paper:

Education, Training and Young People—Standing Committee—report 3—*Inquiry into restorative justice principles in youth settings—interim report*, dated 5 June 2006, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to move a motion authorising the report for publication.

Leave granted.

**MS PORTER:** I move:

That the report be authorised for publication.

Question resolved in the affirmative.

**MRS PORTER:** I move:

That the report be noted.

Many of us here know of Charnwood primary school, a school that, once upon a time, did not have a fantastic reputation. These days Charnwood primary school is a wonderful and spirited school, a community where students, teachers and parents are involved and engaged. One thing that has changed at Charnwood primary school is the way they deal with bullying and disruption.

Charnwood has implemented a restorative process to handle incidents of bullying and disruption. It is a joy to visit Charnwood primary school to meet with and be involved with students there and to see the way restorative practice has created a sense of school community and made the school a great place for students and teachers.

While I am standing here, I would like to take this opportunity to say how pleased I am that the minister for education and his department have taken note of important programs like that of Charnwood's and has taken these into account when formulating his *Towards 2020: Renewing our Schools* program.

Mr Speaker, you will be aware that I have had an interest in alternative justice systems for many years and I have spoken in this place about my visit to the Thames Valley with Sir Charles Pollard. This interest, and my previous experience, has led me to ask how useful restorative principles could be here in the ACT in our educative and other youth settings.

Restorative practice is not necessarily about the punishment of offenders. Restorative practice, according to the Crimes (Restorative Justice) Act 2004, is about repairing the harm done to victims and, in some cases, about the harm felt by offenders. Restorative practice aims to give victims and offenders the opportunity and the ability to heal and to move on.

The interim report states that restorative principles are about healing over punishment, reconciliation over anger, and reintegration over rejection. These goals are certainly reflected in the application of restorative practice in education and youth settings. Those utilising restorative practice in their schools report that, by allowing young people the opportunity to heal and to repair, we can offer them the opportunity to improve their capacity for respectful behaviour and their readiness for learning.

In February last year the Standing Committee on Education, Training and Young People resolved to inquire into and report on the practice of restorative justice principles in youth settings. The committee has completed an interim report, which I am tabling today. The committee received 17 submissions and heard from a number of witnesses over the course of the public hearings. The committee also undertook a study tour of South Australia to examine the restorative practices in school trials being conducted in Adelaide. We also visited Queanbeyan South public school and Charnwood primary school.

The committee makes 10 recommendations. Most of these recommend that the department of education investigate and collect data on schools and youth settings that are practising restorative principles. This data ideally should be used to measure the effectiveness of restorative practice and the effect on academic performance and attendance of students. This collection of data would allow for a viable evidence base for the ACT to judge whether or not restorative practice is an effective tool.

In closing, I would like to thank the other members of the committee, Mrs Dunne and Mr Gentleman. I would also like to thank the series of secretaries we have had on that committee, the last being Sandra Lilburn.

Question resolved in the affirmative.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Rates Amendment Bill 2006**

Debate resumed from 6 June 2006, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

**MR MULCAHY** (Molonglo) (12.06): I have a few words to say in relation to this bill. It has obviously been the subject of considerable interest in the community since this all came to light earlier in the week. I have the view that this bill is bad economics. It represents bad decision making and it certainly represents bad governance. There is a clear absence of detailed justification of the need to raise another \$20 million through this levy for fire and emergency services. This simply has not been provided. It has not been discussed in detail. Certainly the normal process with this matter, which is that that would be part of the budget process and taken before the estimates committee, is being bypassed at the expense of good scrutiny and open government.

Ratepayers again, as they are on so many fronts that we have learnt about this week, are being forced to bear an additional cost burden but they are not being told why it is necessary or what the benefit, if any, will be. It seems to be a matter of “don’t ask questions, just pay up:”. It is the arrogant demand of this high-spending and high-taxing government.

Even trying to get to the bottom of this new wage price index principle is apparently beyond understanding on the part of the Treasurer. It troubles me that we are rushing measure after measure through this Assembly, all of which will be borne by the families of Canberra, yet the appropriate level of information, discussion and detail is denied us. The correct thing for this government to do is to treat this new tax like any other budget bill and refer it to the estimates committee. That is the request that we would make of this government, but I fear that that, like any other reasonable request, will be disregarded.

We know from the budget papers that the fire and emergency services levy is being imposed to assist in covering the mounting costs of the ACT’s emergency services. It is quite extraordinary that the cost for those services has increased from \$46 million in 2001-02 to \$75 million in 2005-06, an increase of 63 per cent over four years. I know my colleague Mr Pratt has raised questions about this time and time again, and he will be speaking in more detail on that extraordinary growth in expenditure. We see no information being available on the reasons for that increase and whether costs could have been saved by doing things in a different way.

The levy is expected to raise \$20 million per year, but no information is available on what other expenditure could be forgone to make way for that \$20 million. There is no explanation of why the items on which that \$20 million is to be spent are more important

than what the fire and emergency services are doing now or, for that matter, programs in other areas of government.

There is a constant pattern we see in this government's way of doing business. There is a new problem or a new report: "let's add to it; let's spend more money". Nobody ever goes back, it seems, and says, "Let's look at whether these lower priority areas ought to go." It is a case of creating a new demand, bringing in a new levy, sort of hypothecating, finding an excuse for this charge, or water, fire, ambulance or whatever, but then it all goes into the melting pot. No-one ever seems to tackle the very fundamental point: why are the essential services of government not met from normal consolidated revenue? Each time there is a particular area of activity which the government feels it can justify imposing a new charge on, away we go and tax our people further.

Mr Speaker, you must be hearing these concerns. I am already hearing them, in the first few days of these new measures being imposed, from people in Canberra who are telling me they cannot afford all these charges. If you look at the horrific list of increases published in the *Canberra Times* yesterday, suburb by suburb, of course you know that that is only part of the story. They still have not got themselves across the fact that there are many other ways in which new charges are going to find themselves into the household budgets of ordinary Canberrans. They will suddenly find that health insurance premiums, as they apply to people in the ACT, go up because of a 31 per cent increase in the ambulance levy, and the water charges will go up, supposedly for conservation reasons, but there also happens to be another \$16 million coming in there.

This is in a territory where people have shown an amazing level of decency and adherence to conservation measures, but they are again being slugged. Basically the money ends up in the ACTEW Corporation and is scooped out by this government to pay for its poor management, its incapacity over a number of years to make sensible decisions in restraining expenditure. These are the very factors that I am well informed were the reasons Mr Quinlan headed out the door here and left the government in such a precarious position on the eve of the budget.

The fact is that this bill should have been referred to, and should be examined in, estimates so we can get to the bottom of what this \$20 million is all about, so we can get to the bottom of the reasons why we have had a 63 per cent increase in expenditure on ACT's emergency services. There may be perfectly plausible explanations, but it is the lack of transparency and the lack of candour on the part of the government that causes me to be concerned about this particular bill. We were told there would be no briefing for the opposition—that is becoming a pattern of behaviour with this Chief Minister—before the bill was brought in, and that it was going to be rushed through the Assembly, all so the cash registers can start ringing to take money out of the community's pocket.

It is believed it is the government's intention, according to the budget papers, to impose the levy on all residential and commercial properties at a fixed rate of \$84 on residential properties and as a percentage of the unimproved value of commercial properties that exceed \$22,000.

The opposition is fully aware that the government has plunged the territory into a very serious financial situation that requires some painful and unpopular decisions to be made, but there are two fundamental questions that need to be asked. The first one, which there



seems to have been a reluctance to address, is: how did we get into this situation in the first place? The second question is: what makes this levy so special that it should be immune from scrutiny in the estimates committee?

The answer to the first question can be found in the past four budgets presented by the Stanhope Labor government. Throughout them you will find the unnecessary and costly administrative reshuffling of departmental responsibilities. Every time this happens, there is a new cost to the taxpayer. There is a careless indifference to the consistent ballooning of the ACT public service, an irrational and stubborn insistence on pursuing frivolous and ideologically driven capital projects and a blatant disregard for the long-term viability of ACT public sector finances.

Mr Speaker, because of your background before entering the Assembly, you understand probably better than almost anyone else here the situation with fire services. Are we hearing here that this \$20 million is about making their conditions more bearable in some of the fire stations that I became aware of when they had a recent open day? Are they going to be able to get decent heating? Are we going to give the mechanics out in, I think, Kambah—Mr Pratt will correct me—working in the middle of the night, on their backs on the ground, decent facilities?

There is no way. This is going to be all about another grab for money. You create a sort of facade that this is all about looking after the safety of our community, and it all goes into the well for Treasury to hang onto, to help meet the extraordinary costs that have come from an overgrown public sector. Those who you might feel have a persuasive case for some help will not in fact be the beneficiaries. The community is, of course, being hoodwinked into believing that that is where these dollars will go.

Essentially over the past four years, the government has enjoyed a revenue bonanza from land sales, stamp duty and the GST. The windfall gains in revenue have amounted to \$900 million—\$900 million—since 2002-03 but, sadly, it has been squandered. The big item in the blowout is the public sector, the public service. Some \$445 million of the windfall has been lost on Labor employing some 2,300 more public servants and paying them higher salaries.

There is a characteristic of this government that I have observed since being elected, and it is a term that I best describe as incrementalism when it comes to spending. As demonstrated by this fire and emergency levy proposal, the government's modus operandum is to spend more and more taxpayers' money by adding onto existing expenditure but ignoring any consideration for new and, presumably, higher priority expenditure by deleting lower priority programs. This government has proven itself incapable of making rational economic decisions, particularly when it comes to pursuing capital projects—the infamous arboretum automatically springs to mind—rather than ensuring that basic community needs are adequately met. The way in which these things are held onto is “well, it is deferred but we will not get rid of it”.

Tough luck about people in schools who are going to be affected. Bad luck about the 4,500 people out there trying to get elective surgery, people who are not able to insure privately and who are told, “You might have crippling arthritis but that is an elective operation.” Ask the people if they feel that it is in the category of plastic surgery for cosmetic reasons, or something else. That is what is conjured up when you hear the term

“elective surgery”. Of course, what it means is a vast range of conditions of people who need medical treatment but whose position is probably not life threatening. So there are many priority areas that have not been attended to, but we still cling onto the pet projects.

If the government approached the management of the territory’s budget seriously and responsibly, it would not rank all of its programs by importance and discard those low on the scale. More specifically, if the Chief Minister and Treasurer had any real grasp of his economic responsibilities, he would not be leading us down the garden path with notions that the Treasury has been uniquely spared from the high tax burdens of other states. I know he would probably say in response that Mr Costello did this review, prioritised things and so forth.

Where is that report? Let us see it now. The argument about the confidentiality of the budget has now come and gone. The budget is out there, so let us look at the Costello report. Let us see what he said about the priorities. Let us see what he said about the efficiency of various agencies. If this Chief Minister is so adept at preaching about accountability, transparency, good governance and the like, and very good at lecturing his friends on the hill, let us see a little bit of it down here. Let us see if the Greens get in behind it and ask for that level of accountability, and see how that sits with the ideological agenda. The people of Canberra certainly want that. That is what the people of Canberra are telling me. They are tired of being hit leg to boot with taxes, they are tired of lack of explanation and an arrogance that has matched this particular set of fiscal measures.

Since this budget was brought down on Tuesday, the justification for higher levies has been trotted out time and time again by the Treasurer that this is a low-tax paradise. It simply, however, fails to pass serious scrutiny. The ACT government expects to receive commonwealth grants of \$1.2 billion, over \$65 million more than its 2005-06 estimates, which includes indexed compensation for any deficiency the territory experiences in taxation revenues, whether they be payroll tax receipts or anything else.

The reality is that the payroll tax revenue that the ACT misses out on due to commonwealth government exemptions is more than compensated by extra commonwealth grants that are received. Put very simply, payments from the commonwealth take the place of tax revenue forgone, another one of the myths that has been foisted on the people of Canberra during the last couple of days. The simple economics of our situation suggest that, over the years, ACT government revenues have been more than sufficient, after taking into account its single-tier structure and its receipt of generous commonwealth grants. One of the smoke and mirrors tricks here is: when you look at this tax burden issue, that is where the territory sits.

Yesterday, I believe, at the press club the Chief Minister said we have the lowest tax in Australia. I think we rank fifth when you put in all charges, and second when you take out municipal charges. But of course there is one big difference, because we have one level of government, unlike our colleagues in New South Wales who have a whole structure of local government and a whole structure of state government.

To say that we ought to be on an equal footing with New South Wales when you add in all state taxes and municipal taxes quietly forgets one of the facts: we have vastly

different overheads and structures here. When you get behind a lot of the rhetoric you realise that, in fact, even to be on an equal footing we should be taxed at a lower level, given the changed level of administrative structures that have to be met by the ACT taxpayer.

The fact of the matter, and the reason behind this bill being rushed in, is that the Treasurer is crying poor because the government has run the ACT budget into the ground over the past four years and finally this has caught up with him. I love the way we are told, "Oh, shadow Treasurer, we are now going to GFS." There would not be a person in this Assembly who has not heard me advocate that for 18 months.

My fellow members on the public accounts committee, Ms MacDonald and Dr Foskey, chuckled because I have been on and on about it. Now it is done. It is like the conversion on the road to Damascus: it has come like a bolt out of the blue. We do not hear an acknowledgement that this approach is something that should have been done. We hear "let's go back to Trevor Kaine, Kate Carnell, Gary Humphries or whoever you can think of, back years ago in this place, and say that this is what happened then."

**Mr Stanhope:** What, 2001? Seven years of Liberal government.

**MR MULCAHY:** Yes, that is right; and it has certainly never been a position I have advocated.

**Mr Stanhope:** AAS through nine years of Liberal government.

**MR MULCAHY:** While the rest of the world moved on, the Chief Minister clung to this accounting standard because, gee, it looks good. You read that figure and you go to bed at night saying, "We're really making money. Just don't go further into budget paper No 3, though, and look at that GFS," because that is the one that gives you the chilling figure. That is the one that people like Standard and Poor's shook their heads on when I met with them.

**Mr Stanhope:** What? In New York?

**MR MULCAHY:** Absolutely. It is interesting that the Chief Minister has not spoken to them. I am very pleased with it, unlike you, who have not even picked up the phone to speak to them. They told me what they thought about your wedded relationship with AAS.

**Mr Stanhope:** Is that right?

**MR MULCAHY:** Absolutely. They made very clear what they thought about your accounting standard, and they have expressed that in a written form. They have talked about the ACT government's poor accounting standard and their incapacity to balance the books. Whilst credit will never be given—the former Treasurer echoed the same comment, because all his predictions are pretty well coming true—I am pleased that we are gradually getting our messages through. Sadly, the people of Canberra are now paying the price through new levies. I am just hoping that their memories do not fade in the next two-and-a-bit years because, I can tell you, I will be doing all within my power to make sure the people of Canberra know who has damaged

the household budget and who has taken away their discretionary spending. When they want to go down to the video shop, or they want to go out to a restaurant or go down to their local club, they say, “Jeepers creepers, we have lost this much money because Jon Stanhope wrecked the budget, wrecked the management of the economy, and has had to tax us out of our existence. Sorry kids, we’re staying at home tonight; we can’t accommodate you.”

This is what this government is all about. This new Rates Amendment Bill of course is simply another grab for cash out of the already heavily taxed people of Canberra, who have no idea how much this budget is about to cost them. At the end of the day, Canberra households pay too much in taxes. They now face hundreds of dollars more in rates, levies and charges because the territory government could not manage its finances.

What about the *Daily Telegraph* today? Didn’t that tell the whole picture? That front page headline, which I am sure the Chief Minister was keen to see, will live in memory. Here we are, even the biggest selling paper in Australia has passed economic judgment on this Chief Minister. I think the term was “economic vandal”, wasn’t it? I will have to refresh my memory because I was so stunned when I read it that we could manage to capture national headlines over the poor budget management. I think the people of Australia are passing judgment about the economic incompetence. The credit rating agencies have forced change. The opposition’s suggestion for the presentation of accounts has begrudgingly now been accepted but, of course, we are now left with paying a price for all this which every man, woman and child in Canberra will in fact experience. This fire and emergency services levy is a disguised way of ripping another \$20 million out of the pockets of Canberrans.

Of course, it brings us back to the question why this levy is being considered by the government to be immune from scrutiny in estimates. It is an extraordinary decision. Whenever you bring in a levy like this in the context of a budget period, it ought to be subject to appropriate assessment. It is a sign of the desperation of this government, a desperate grab for cash, and their unwillingness to be accountable. The fact that manifests itself is that ministers refused to take questions from the media on budget day and that for the opposition the courtesies of Treasury briefings were withdrawn. I think there was the vain hope that we might sit there and struggle through the books and not be able to read them in time for the television news.

**Mr Stanhope:** How many briefings did I get in four years of opposition, Mr Mulcahy?

**MR MULCAHY:** How disappointing it must have been for the Chief Minister to see the headlines already in the media: wise up to this work of incompetence in terms of the budget. I could talk for hours on this—

**MR SPEAKER:** For 22 seconds.

**MR MULCAHY:**—because there is so much material that this government has provided me. We will have an opportunity later today. I recognise my time is limited on this bill. It certainly ought to be referred to the estimates committee. It is an indefensible grab for cash from the people of Canberra, along with all the other measures that we will look at later. This one will hurt ordinary people. There is no apparent defence for this levy; it is an excuse to simply tax the community again.

**DR FOSKEY** (Molonglo) (12.26): It is certainly an occasion for agreeing with much of what Mr Mulcahy has said. However, before I commence I would like to remind him that the Greens have also called for the Costello report. I think he was trying to make an imputation that was incorrect. Also, what Mr Mulcahy likes to call ideology I would call a transparent charter of principles. I will show you mine; how about you show me yours?

The Rates Amendment Bill 2006 provides for the introduction of levies as a part of the rates charging process. In my view, we are a little out of order in passing it now before the estimates process and the real examination of the budget. However, if we were to presume that the bill would be passed with levies as proposed, then the fact that these provisions were not factored in at the start of this next financial year would create problems. Therein lies the beauty of being a majority government. That is why this Assembly will pass a bill before having the essential substantive debate on its impact and appropriateness in the budget context.

I will make a few brief points now and revisit the issue when addressing the budget proper. Increasing rates, charges and taxes and introducing levies is never a popular move but sometimes it has to happen. In that way I do not agree with the Liberals getting on the white stallion on behalf of the community as though it is always wrong to increase rates, charges and taxes and introduce levies. It is an essential way of raising revenue for the government, but it is also an economic tool. I will address that a bit later on.

Having apparently bitten the bullet on wholesale changes to revenue and expenditure patterns, this budget was a chance to direct those changes to achieving social environmental outcomes. I do not believe that that has happened. I wonder if this levy has been put in place to cover costs arising from legal fees, damage control induced panic and an overenthusiasm for emergency services in the light of the biggest failure of community protection in the territory's history.

I note there are no levies relating to a failure to achieve sustainable building outcomes and lower energy and water consumption. That is not true because there is an increase in charges for water. There are no levies on high-emission cars and there are no levies to subsidise the inclusion of affordable and social housing in major developments.

I am not arguing that the impost of levies is the answer to our social and environmental problems, but it is an important economic tool. In the real budget debate and through the estimates process, I will pursue a more nuanced approach to achieving better social and environmental outcomes through revenue raising methods including, but not limited to, levies and concessions. Unfortunately, with the budget before us and in this bill the government has shown itself two parts short of the triple bottom line.

*Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.*

**Sitting suspended from 12.30 to 2.30 pm.**

## Questions without notice

### Budget—advertisements

**MR STEFANIAK:** My question is to the Chief Minister. How much did it cost taxpayers to send the letter out yesterday to Canberra households to promote your budget, and how much is your government spending on publicity for the budget?

**MR STANHOPE:** I thank the Leader of the Opposition for the question. I fear that I do not have the answer to the question that he asked about the specific cost of an information letter to residents of the ACT about the budget. The other part of the question was about an advertising budget for the budget. I am more than happy to take on notice the specific aspects of the question asked. I am more than happy to provide the details of that to the Leader of the Opposition when I have it to hand.

It needs to be said that, in relation to communication with the electorate and the advertising of particular initiatives, it is vitally important that governments consult and communicate with the people that they represent. There is no more important policy document than a budget. The budget, in its presentation and the allocation of resources for governmental priorities, is the most significant single document or announcement that a government makes in a parliament in any year. It is vitally important that governments do everything within their power to communicate to the people they represent the very important decisions that are made through the budget process.

Implicit in the question is the suggestion that governments should keep people in the dark and that governments should not take that extra step to communicate with their constituents or the people that they represent. Implicit in the question is the suggestion that the people of Canberra do not deserve to be informed about decisions that affect them in their day-to-day lives so fundamentally. Implicit in the question is the suggestion that this government should not tell the people of Canberra the implications of decisions which it has taken on their behalf and through which it utilises their money.

**Mr Smyth:** On a point of order, Mr Speaker: under standing order 118 (b), the minister is not allowed to debate the issue; he must answer the question, not debate any issues that he thinks are relevant. Would you drag him back to the question? If he has finished, he should sit down.

**MR SPEAKER:** Mr Smyth, the question was about expenditure. I am sure the next question will be: how can you justify this? These questions are political in nature. There is a need to put these things in context.

**MR STANHOPE:** Thank you, Mr Speaker. It is an important question. It was a very important budget, perhaps the most significant budget that has been delivered in the territory in the last 16 years, to the extent that it seeks a major restructure or a major change in the way government services are delivered. It is a budget that contains very, very significant initiatives and changes in the delivery of government services in the territory. The people of Canberra deserve all the information, all the advice, that can possibly be provided and some explanation on the detail of the decisions that have been taken. Some of these decisions are fundamental to the way in which health, education,

housing and a range of other government services will be delivered in the territory well into the future.

A vision has been presented by the minister for education, by way of example. Towards 2020: reviewing our schools is a vision for education in the territory. It affects, as the minister has been saying, those children that attend, for the first time, preschool next year. They will finish school in the year 2020. This budget deals with the development, the articulation and the implementation of a new vision designed to revitalise the delivery of education in a sustainable way in this territory until at least 2020.

The way we operate in education and across the board on government services cannot be sustained; we cannot tread water; we cannot expect to be able to deliver the range of services at the quality and the level we currently do into the future if we do not take corrective action, which is at the heart of the budget which I delivered this week—a tough, hard budget taken by a tough, committed government, with courage and preparedness to face the people of Canberra on the decisions it has taken. They are decisions that you wimped in government—decisions that are all the harder now as a result of a lack of decision by you.

**MR SPEAKER:** The minister's time has expired.

**MR STEFANIAK:** Why are you wasting so much ratepayers' money on propaganda such as your full-page ad yesterday in the paper when you are raising taxes and charges and reducing services?

**MR SPEAKER:** Do you see what I mean, Mr Smyth?

**MR STANHOPE:** How perceptive of you, Mr Speaker, to know precisely that the question would lead to the suggestion that any expenditure on the provision of information to the people of Canberra is a waste of money. There it was, out of the mouths of babes. The whole point of the question was to suggest that the provision of any information to the people of Canberra is a waste of money. There is the question: how do you justify this waste of money?

What is the waste of money? The waste of money is letting the people of Canberra know what the decisions the government has announced on education mean; what they mean for the people; what they mean for their children; and what they mean for the future of the territory. It is a waste of money so far as the Liberal Party is concerned to let the people of Canberra know the decisions we have taken on health and to let them understand the decisions that have been made, the commitment we have made, to the services that will be available.

**Mr Smyth:** Most of them have been reading the *Daily Telegraph* this morning. They know exactly what it is, Jon.

**MR SPEAKER:** Put it down, Mr Smyth.

**Mr Smyth:** Mr Speaker, you used to do this.

**MR SPEAKER:** Put it down.

**MR STANHOPE:** It is a waste of money to take into your confidence the people that you represent and whose money you spend on their behalf. This is a waste of money so far as the Liberal Party is concerned.

We have set out in this budget our vision for the future. We have set out in this budget our commitment to quality service delivery in the territory. We await with great interest the speech which will be delivered at 3 o'clock today by the current Leader of the Opposition, the fourth Leader of the Opposition in the last five years. We have had four sets of leadership visions for the Liberal Party in the last five years. We will get the latest round today from the newest Leader of the Opposition. This is the first opportunity for Mr Stefaniak, as the Leader of the Opposition, as the leader of the Liberal Party in this place, to present an alternative vision.

*Members interjecting—*

**MR SPEAKER:** Order! Members of the opposition will come to order. Members of the government will also come to order.

**Mr Smyth:** I apologise, Mr Speaker. It is just that his maths are out by 33 per cent again. It is this new maths.

**MR SPEAKER:** Order! Sit down, please.

**MR STANHOPE:** It is important that we listen with care to the new leader's visions of alternative governance for the territory. In 20 minutes, we will have the opportunity to listen to and digest the alternative vision by the alternative government. We await with interest and some anticipation the approach which the Liberal Party would take to the issues facing the territory today.

We look forward with great interest to the details of Mr Stefaniak's vision for the provision of government education in the territory. We want to know what he proposes to deal with the significant issues we face in ensuring quality education for the children of Canberra.

We look forward with great interest to the vision which Mr Stefaniak is about to present on the delivery of quality health care for the people of the territory and the steps he would take, the expenditures he would make and the efficiencies he would seek, accepting that the rate of incremental expenditure and growth in health care are unsustainable into the future. We need to hear from Mr Stefaniak today the efficiencies he will be demanding and which areas of service delivery he will cut to ensure that the incremental 8 to 9 per cent growth in demand in health care will be met by his government.

We await with interest Mr Stefaniak's plan for public housing in the territory, the detailed plans for how to deal with the enormous pressure on housing and homelessness. These are the things which we know Mr Stefaniak will be dealing with in his reply to the budget in 15 minutes time.



**Mrs Dunne:** On a point of order, Mr Speaker: could this be construed as anticipating debate by anticipating what Mr Stefaniak may or may not say in his address-in-reply?

**MR SPEAKER:** If that were the case, I would have disallowed Mr Stefaniak's question.

**Mrs Dunne:** The answer is anticipating debate. The question did not anticipate debate.

**MR STANHOPE:** I make this point seriously because it is important that, having now changed leaders again, to present an apparent fresh face, a fresh set of views and a fresh vision, the new leader be given this opportunity today, his first significant opportunity, to present a fresh vision, a new focus and a new direction for the territory—the direction which the alternative government would propose to take were they in government. We await with interest that visionary statement and expression from Mr Stefaniak today.

### **Budget—revenue**

**MR MULCAHY:** My question is to the Treasurer. Treasurer, your 2006-07 budget overview states:

... due to the dominance of the public service within the ACT labour market, the ACT has significantly higher per capita payrolls than the Australian average but below per capita payroll collections, due to the inability to tax the Australian Government ... contributing to the territory's ... below average capacity to raise revenue ...

Treasurer, why do you assert that the ACT's expected receipt of commonwealth grants worth \$1.2 billion in 2006-07, over \$65 million more than the 2005-06 estimates, are insufficient compensation for the payroll tax that the ACT misses out on due to commonwealth government exemptions?

**MR STANHOPE:** It is important that we understand the basis on which the territory government's capacity to raise revenue is affected by the fact that the most significant employer and, I think, the most significant landholder or landlord in the territory is the federal government. It is quite right, as the shadow Treasurer asserts, that the commonwealth government is constitutionally exempt from the payment of taxes, fees or charges that might be imposed by a territory or state government.

It is very significant that the largest payroll within the territory is exempt from payroll tax. We have a very narrow revenue base within the territory. We are a small jurisdiction. We have the narrowest revenue base and source of revenue of any place in Australia. We have no secondary industry. We have no primary industry to talk about. The most significant source of primary production in dollar terms in the territory is the Parkwood egg farm.

The single largest primary producer—responsible, I think, for almost half of the ACT's primary industry production in terms of value—is a chook farm. That is the extent or worth of the primary industry which is produced in the territory. Fifty per cent or thereabouts of our primary industry is incorporated into a single chook farm. We have limited manufacturing industry. We are the head of government. We are a service town.

The sources of income available to us are very narrow. They are essentially around our capacity to raise taxes and other revenue, and the sources of that are quite narrow.

Successive governments have sought to use their imagination in relation to the pursuit of other sources of revenue through some quite ingenious taxation or rating proposals from time to time. That is something which each of us has done and which, of course, we continue to do as we pursue the capacity to ensure that our revenues are able to meet the realistic expectations of the community in relation to the delivery of government services.

The Liberal Party talks about the windfall GST as being there to solve all of our problems and to meet all of our costs and needs. It should go back to some of those needs and the gaps in service. It is implicit in the question that we get enough through the GST and we get enough through existing rates, revenues and taxes to meet the expectations and demands of this community.

When we came to government we were confronted with a range of gaps in service delivery which the so-called \$65 million extra GST, unexpected and unallocated, has absolutely no way of touching, affecting or meeting—such as the eight or nine per cent increase in the health budget. The last Liberal health budget, 2000-01, appropriated \$415 million for health. This budget appropriates \$751 million for health. Will we hear about that in 15 minutes? The budget delivered on Tuesday recommends an appropriation of \$751 million for health. Your last budget, only five years ago, appropriated \$415 million. Do your maths.

There has been an extra \$300 million per year in recurrent expenditure over five years. Which of that expenditure, which of that extra \$300 million of health expenditure over five years, is the Liberal Party suggesting we should not have made? What should we have not funded? What should we now be not funding in health? There has been an extra \$300 million per year in health expenditure. We will hear in 15 minutes which parts of that \$300 million the Liberal Party would not have funded. The challenge that Mr Stefaniak faces in 15 minutes is to tell us where the cuts would come, where this outrageous level of extra expenditure on health should not have occurred.

**MR SPEAKER:** Order! The minister's time has expired. Before giving Mr Mulcahy the call to ask a supplementary question, I acknowledge the presence in the gallery of participants in the University of the Third Age program. Welcome.

**MR MULCAHY:** Treasurer, is it not true that you have been specifically compensated by the grants commission for housing commonwealth agencies here, with the attendant loss of payroll tax, and that the latest raft of levies, rates and charges is simply a cover to hit the unsuspecting people of Canberra?

**MR STANHOPE:** There is, of course, some adjustment through the grants commission for the taxation capacity of the territory; most certainly there is, but I go back to the point I have made that implicit in these suggestions are the expenditures that we have made in the delivery of government services, the fundamental expenditures, the \$750 million in health and the \$700 million plus in education. We can drill down, if you like, in relation to the pet issues that each of you has pursued, such as Mr Pratt's request for extra police, which we endorse and actually have funded.

The big difference between us is that in government you talked but never funded, whereas in government we talk and put our money where our mouth is. We are funding an extra 60 police. Mr Pratt, when he stands up today and responds to the appropriation bill, is going to tell us that, in the circumstances, he would not have funded the extra 60 police. That is what he is going to stand up and say. In light of the commentary on our budget from the Liberal Party in the last two days, Mr Pratt is going to stand up today and say, or perhaps his leader will say it for him, that they would not have funded those police.

**Mr Mulcahy:** I take a point of order, Mr Speaker. I understand why latitude is being extended but, in terms of relevance, I was specific about the claim on payroll tax. I provided specific data from page 186 of BP3. I ask that you direct the Chief Minister to respond to the issue of the unsubstantiated claim about payroll tax.

**MR SPEAKER:** Stick to the subject matter of the question, please, Chief Minister.

**MR STANHOPE:** I will, Mr Speaker, but it is important to provide some context in responding to such questions. It is relevant that we have a very narrow revenue base. These things are relevant in the context of our capacity as a small jurisdiction, reliant very much on services and these own-source revenues. These are very relevant considerations in relation to the situation in which we find ourselves, particularly in an environment in which, since self-government, through successive governments we have provided government services at a cost of at least 20 per cent above national benchmarks or national averages. Yet we have this narrow revenue base.

There is an enormous gap between the revenues we raise, including the revenues we receive from the commonwealth through the GST, and the level at which we deliver services. In this budget, this government has grasped the nettle, as other governments would have but for a variety of reasons did not. I think that a most significant reason that other governments have not been able to grasp the nettle that has now been grasped has been minority government. It cannot be denied the damage that minority government has done to the capacity of successive governments to manage budgets within the territory. Trevor Kaine is the finest example of that. Trevor Kaine tried in 1991-92 when he was Chief Minister and Gary Humphries was his minister for education to do some of the restructuring, consolidation and reconfiguration of education that we are now pursuing.

**Mrs Dunne:** Who stopped him?

**MR STANHOPE:** Mrs Dunne asks who stopped him. We were all complicit, through minority government. You make my case for me, Mrs Dunne. I am prepared to stand here and say that the Labor Party has been complicit and it causes each of us, I am sure, some discomfiture to have to acknowledge in relation to the nature of adversarial politics and minority government that decisions that would better have been taken and allowed to run have not been taken and allowed to run. The issue in relation to schools is a prime example. We now know, each of us, and we have always known it, that if Trevor Kaine and, I must say, his minister for education, the now Senator Humphries, had received more support from the Assembly and the community the extent of the decision in relation to schools that we take in this budget would have been lessened.

There should have been a process in place from 1989 to deal with our dispersed education infrastructure in schools and policies applying to schooling in the territory. It should have been dealt with perhaps annually, as it will be in the future. We would not have come to this dreadful crunch. We would not have run into this roadblock. I am prepared to stand here and say that minority government has a lot to answer for in relation to that. Oppositions of whatever persuasion, when we are in government or when you were in government, have approached their tasks in the same way, with a self-serving crossbench, and decisions that should have been made were not made. The roadblock we have now hit is very much part and parcel of that history. I am prepared to acknowledge our role in that, but you need to do the same.

### **Health—cancer treatment**

**MR GENTLEMAN:** My question is to the Minister for Health. Could the minister update the Assembly on measures the government is taking to prevent and treat cancer in the territory?

**MS GALLAGHER:** I thank Mr Gentleman for the question. I am pleased to announce that this morning a new linear accelerator was commissioned at the Canberra Hospital. This new machine has been commissioned to replace the former machine that broke down in March. This commissioning allows radiation oncology services to return to normal for ACT cancer patients. A process that would normally have taken many months took just a few weeks, and I would like to thank all those involved for their efforts. This fast turnaround is thanks to the hard work of staff at the Canberra Hospital and the supplying vendor.

Linear accelerators are vital pieces of machinery for the treatment of cancer. Linear accelerators are used to deliver radiotherapy to cancer sufferers. High-energy X-ray beams are used to kill cancerous cells. The majority of services provided by the radiation oncology department are delivered by linear accelerators, and that is why getting this machine online was so vital. I understand that full services were restored on Tuesday.

To continue this improvement, the government is committed to funding as many different cancer treatments as possible. That is why the budget handed down by the Chief Minister on Tuesday has allocated \$780,000 over four years towards the introduction of the national bowel cancer screening program in the ACT. Bowel cancer is the most common form of internal cancer in Australians, with one in 24 people expected to develop bowel cancer in their lifetime. Trials have demonstrated that regular screening can reduce mortality from bowel cancer by 15 to 30 per cent.

Through this program it is expected that between five and eight additional bowel cancers and 30 advanced precancerous polyps will be detected each year. Detecting and treating bowel cancer at an early stage and removing polyps before they develop into bowel cancers is expected to decrease the number of advanced bowel cancers detected in the future, and therefore save lives.

The ACT will develop a strategy for the efficient and effective follow-up of patients with positive blood tests and equitable and timely access to colonoscopy services. This will be

developed in consultation with clinical and other key stakeholders through the office of the Chief Health Officer.

I would again like to thank staff at the Canberra Hospital for ensuring that Canberrans receive timely and accessible cancer treatment by commissioning the replacement linear accelerator so quickly. I look forward to keeping the Assembly informed of the progress of future funding of cancer treatments in the territory.

### **Schools—closures**

**DR FOSKEY:** Mr Speaker, my question is to minister Andrew Barr and it is with regard to the *Towards 2020: renewing our schools* document released the day before yesterday. Minister, you were asked, as your first question as minister for education, if you would undertake to work with and consult with school communities, particularly those that might be deemed at risk of closure, on the educational, financial and social impact of closing schools, before taking any decision to close them, and you said you would do so.

The 2020 paper released the day before yesterday includes statements that a number of schools and preschools will be closed at the end of this year. Could you please advise the Assembly if those school communities can have any hope that the consultation process that you have promised, through the legislation passed yesterday, could possibly result in anything other than the closure of their school at the end of this year?

**MR BARR:** I thank Dr Foskey for the question. Dr Foskey, I can inform you that there will be an extensive consultation process. I will just refer to the document I released earlier in the week. There are eight public meetings that begin on Monday, 19 June and continue until early July, there is a dedicated website, and there are a variety of consultation mechanisms that the government will be engaging in. This is a proposal that the government has put forward. I indicated in my speech yesterday—

**Mr Stanhope:** You are not spending money communicating with the people, are you, Mr Barr?

**MR BARR:** I could be, Chief Minister, yes. I note that the opposition have not criticised—

**Mr Stanhope:** They are not criticising this particular subject?

**MR BARR:** They are not criticising me for spending money on some consultation; no, it would appear not. In fact, they are hounding me to consult and it is something I am very happy to do.

**Mr Pratt:** It is a fait accompli brief, Jon.

**MR SPEAKER:** Order, Mr Pratt!

**MR BARR:** The proposal the government has put forward presents a variety of options, Dr Foskey, for education provision across eight regions in the territory. For the first time, it gives communities an option to discuss the possibility of middle-schooling, year 9 to 12, with a focus on vocational education and training; some seven to 12 education

models; linking preschools with primary schools; and then also some particular dedicated early childhood models across the territory. It presents some interesting options for how we might see our education system operate into the future, but it is a proposal.

There is an obvious need, as the government has identified, to see rationalisation of the number of campuses across the territory. That is something I said in my very first speech in this place—that that would need to happen. However, this is a consultation process and, if there are other ideas that the community has and other ideas that other members of the Assembly or other members of the community might wish to bring forward as to how we might better provide public education in the territory into the years ahead, then I welcome those ideas being brought forward. I am very happy to consider a whole variety of options.

My objective in this process is to see that we address the drift of enrolment in public education and that we ensure that public education does not become a minority safety net provider of education for those people who cannot afford the private system. That would be an unacceptable outcome. That is something that I as minister will not accept. That is why we are interjecting \$90 million, the largest single investment in our schools in the history of self-government; that is why there is \$67 million for new schools in this budget; and that is why there is \$20 million for infrastructure investment. Dr Foskey, in answering your question, yes, I am open to a variety of proposals—

*It being 3.00 pm, questions were interrupted pursuant to the order of the Assembly.*

## **Appropriation Bill 2006-2007**

Debate resumed from 6 June 2006, on motion by **Mr Stanhope**:

That this bill be agreed to in principle.

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (3.00): In George Orwell’s famous novel about a fictitious totalitarian society, he coined the term “blackwhite” to describe the ability to accept whatever “truth” the party put out, no matter how absurd it was. Orwell described it as a “loyal willingness to say black is white when party discipline demands this”. It also means “the ability to actually believe that black is white or, more, to know that black is white and forget that one has ever believed the contrary”. Why is George Orwell relevant to what the opposition has to say about the Stanhope government’s budget? It is quite simply because this is a government that requires us to believe that black is white. It is also a government that requires us to think in what George Orwell called doublethink, defined as “entertaining two contrary ideas at the same time”. Here, I would remind the Assembly that George Orwell was from the left but became so disillusioned that he spoke out. It is only the Labor Party that continues with doublethink or doublespeak.

The *Canberra Times* nailed this nicely in its coverage of the budget yesterday, when it pointed out that, in the course of no fewer than five budget media releases from the government on schools and despite the fact that the government proposes to close 39 schools, the word “closure” does not appear. Similarly, the Small Business Commission is not being abolished; it is being rationalised. Then there is the way the government introduces a whole raft of new taxes and increases in taxes and charges in

another media release, this one trumpeted as “freeing the ACT from dependence on land revenue”. Some liberation.

In doublespeak, we are being told by the government that this is a tough budget—a courageous budget, according to the Chief Minister. It is no such thing. Instead it is a budget that bludgeons the whole community. It is in fact a desperate budget brought down by a desperate government. This is a budget that will fall particularly heavily on those who are on fixed incomes and on low incomes. It will impact on home owners, on first home buyers, on renters, on businesses, on people who are ill and on people with disabilities. It will impact on school children and their parents, on teachers and on other public servants. There is not a group in the community this budget will not affect for the worse.

How is it courageous to inflict financial pressure and worry, especially on some of the most vulnerable people in the community, and to take away services from those who need them? Yet this is what this government is doing. Yet it has the hide to call that action “courageous”. It would be courageous if the Chief Minister had said, “We have failed dismally. The decisions we have taken, and taken over the last 4½ years were wrong.” But that is not what he is saying. What the government is offering is its own black-and-white rationale for the draconian measures contained within this budget.

First up, let us look at the crisis that is not a crisis but strangely requires all the measures involved in dealing with crisis. The Chief Minister was at pains in his budget speech to tell us that we are not in a crisis. No? Outside, people are going about their daily business in Civic. “The sky has not fallen in,” he says. The crisis is in the decades ahead, and it is because this is such a forward-thinking government that it is dealing with this far-off event now.

But the government fails to mention that the reason why people are happily going about their business just beyond these walls has nothing to do with anything the ACT government has or has not done. It is to do with the booming economy vouchsafed for us by the excellent management of this country at the national level—an excellent management that has continued now for over a decade. It is this national prosperity that has ensured close to full employment in the ACT. This has had the effect to date of, indeed, “cotton-wooling” us here in the ACT from the effects of the Stanhope government’s phenomenal incompetence.

The government says we are not in crisis. But if we are not in crisis now, why are 39 schools and preschools being closed? If we are not in crisis now, why are 500 public servants to lose their jobs in the next year? If we are not in crisis now, why is business being gutted? If we are not in crisis, why was our major public hospital, Canberra Hospital, on bypass; that is, ambulances were directed that they could deliver no patients every second day last month? And if we are not in crisis, why are we getting nine taxes, including two totally new ones?

In its own doublespeak, the government claims to be taking the hard decisions to deal with a narrow revenue base. It does not tell you that it has squandered the GST money which is the mechanism by which the commonwealth government compensates the ACT government for having a narrow revenue base—GST money which, when we first got it, was around the \$350 million mark, which is now well over \$700 million and which, in

projections, will rise to \$900 million or more in the near future. A phenomenal improvement in GST money has been coming into the territory since its inception. The Stanhope government and the people of the ACT obviously should have benefited from that. Certainly the government has had a significant amount—more than it expected—of GST money to use in running the territory.

The government claims that ACT taxes are under the national average by 11 per cent. But it fails to say that this is comparing apples with oranges, because the states' figures also include local council data as well. And it fails to tell you that the ACT government is trying to double-dip. The Commonwealth Grants Commission gives the ACT a large sum in recognition of its limited tax base and inability to tax the commonwealth. The Commonwealth Grants Commission has done that since the rationalisation of grants to the ACT in the late 1990s.

The government claims that community expectations are too high, as if we, the deluded community, have caviar tastes on white-bread incomes. The Chief Minister warns that, as a community, we have been living on borrowed time and it is now running out. The government does not tell you why ACT services cost more than 20 per cent above national levels. This has got everything to do with inefficiencies, waste and wage rises not linked to productivity. Labor talks about living beyond our means. It talks about that as if it were our fault, not theirs.

The government talks of restructuring, not just any restructuring but restructuring the like of which has never been seen here before. But they do not say that the only reason it has never been done before was that it was vetoed by Labor. It is all very well for the Chief Minister to talk of restructuring—and I agree with him that there have been minority governments until now—but every sensible suggestion of measured restructuring by previous Liberal governments was objected to by the Labor Party. Even things as simple perhaps as closing one or two preschools were objected to by the Labor Party. That has occurred certainly throughout self-government. Labor very much has only itself to blame for some essential restructuring not occurring before, because primarily it vetoed it.

This government, again and again, points the stick at the community as if it were we, the community, who are to blame. It is not the government's policies, not the government's poor decisions but the community's. Their doublespeak extends to the numbers the government serves us up. We are supposed to rejoice because the government has posted an estimated surplus of \$120.5 million for 2005-06. This is, according to the Treasurer's own media release, "a dramatic turnaround" and "no cause for complacency". This was supposed to be good news, on the basis of the \$91.5 million deficit projected on budget day last year.

But nothing in the world of doublespeak and "blackwhite" is ever quite as it seems. Even the Treasurer concedes that the \$120.5 million surplus is effectively just a paper surplus, mostly made up of gains from superannuation investment and land sales. It is the product of the Australian accounting standard system, which the ACT government alone amongst governments in Australia uses. As the Treasurer said, the government will be adopting the government finance statistics, or GFS, as its headline budget measure from now on. Under the version of GFS of this government, the deficit next year will be \$80.3 million. However, if you turn to page 270 of budget paper 3, appendix E, you will see that the actual deficit will be \$147.5 million.



Indeed, if the Treasurer's budget were really in surplus, we would not be having the harsh measures this government is handing out to the ACT community. There would be no need. So much for the dramatic turnaround! The emphasis should be on the word "dramatic" because we have here a fictional turnaround.

The headline budget simply does not reveal the actual state of the government's finances. The government finance statistics, in each of its budgets, show that it has been making losses since 2003-04. In GFS terms, the budget deficit for 2005-06 is estimated to be \$196 million, with a slight improvement to a deficit of \$148 million in the coming financial year. That is a far cry from a \$120 million surplus posted under the old, and now discarded, system.

Let us talk about the windfall gains in revenue since this government has come to power. Those windfall gains in revenue of \$900 million over the past four years from property taxation and the GST have been squandered. How has the money been wasted? Let me just give you a few examples. Around \$7.3 million has been expended on the Human Rights Commission and its related functions. And now we are seeing that act bite; we are seeing how much time it takes some government departments, who in no way would be expected to be breaching the necessary human rights, to go through the convoluted procedure associated with preparing submissions for government legislation. That is one little example of extra time, and time, of course, is money.

We have \$2.1 million on the community inclusion fund. At least half a million dollars has been spent on the international arboretum. It is now scaled back from \$12 million to \$6 million. Around \$6 million has been spent on the projected \$150 million Belconnen busway, a busway expected to shave all of about three minutes off the journey from Belconnen to the city. Has this project been scrapped or put on hold? We are not really too sure.

The \$130 million prison, which is another one of the Chief Minister's hobbyhorses, is going ahead but a bit more slowly. Around \$1.5 million was spent on the Chief Minister's appeal against the coroner. Some \$100,000 to date—and watch this space—was spent in a vain attempt by the Chief Minister to intervene in the High Court case to stop the commonwealth's Work Choices legislation, for no better reason than to appease Labor's union mates. And it is not over yet. I do not particularly like the chances of its success there. Yet there will be more expenditure there in the years to come.

While the Chief Minister was indulging in his personal follies, he allowed the ACT public service to blow out by over 2½ thousand public servants and then said that he was alarmed to discover what had happened. He was surprised that this had happened. A few months ago in this place, he expressed, I take it, genuine surprise that this had happened. He might have been alarmed by it, but he certainly was not alert. That is not leadership. The blow-out in public service numbers and expenditure happened under his nose. One can only assume that was because he was too preoccupied with his hobbyhorses. And it occurred under the nose of all of the ministers in this government.

The cost of employment has blown out by \$445 million or 50 per cent over the same four-year period. People ask me, "If things have been so good, where has the money gone?" The answer is that, in addition to the Chief Minister's vanities, over \$445 million

of it has gone on Labor employing more public servants and paying them more. Out of the windfall gains in revenue that fell into the lap of the Stanhope government, half has gone in bloating the public service. That may not have been so bad if there were a concurrent increase in improvement in the quality of services. I am not saying that all of those increases were not needed. Certainly in some areas there was a need—initiatives like the K-to-3 small class sizes and initiatives in relation to childcare. But 2,500? I think not. A 50 per cent increase in the senior executive service? I think not.

Has there been a corresponding improvement in the number and quality of services with all that spending? Is health care any better? Are our children better educated and prepared for the future? The people that I speak to say no. In fact, they complain that services are worse and the city is tattier than it was. The people of Canberra are paying for this government's incompetence and irresponsibility. Canberrans will pay with more cuts to services. Schools are going to suffer and indeed close. Teachers are being hit. The queues at public hospitals will get longer. Taxes are being increased.

Let us look at those taxes, because this is something that affects every man, woman and child in the territory. The nine tax changes, including two new ones, are expected to net the Treasury an additional \$63.7 million in 2006-07. The revenue from rates will go up by 11 per cent. Of course the point about this is that the Stanhope government is changing the goalposts by using the wage price index instead of the generally accepted consumer price index. The wage price index is expected to rise by 4 per cent, compared with the consumer price index, which is only expected to grow by 2¾ per cent in 2006-07.

**Mr Mulcahy:** Upgrades.

**MR STEFANIAK:** You are not wrong. Because the wage price index is 45 per cent greater than the CPI, this will greatly accelerate the increases in rates, administrative fees and charges. This, in turn, will fuel an increase in the rate of inflation, imposing yet another burden on the community. This is a totally inequitable and unacceptable burden on the people of the ACT. It means, effectively, that every increase in the pay of the ACT's top public servants will translate into an increase in the fees, rates and charges on people on fixed and low incomes, even after allowing for any rebate they receive. This is hitting people who are already struggling to survive.

The revenue from the ambulance levy will go up by 31 per cent so that individuals will pay an additional \$54 to \$84, and families will pay an additional \$114 to \$170. There will be a false-alarm call-out fee of \$200. The new fire and emergency services levy will rake in a further \$20 million from householders and cost a householder \$83 a year.

Revenue from ActewAGL dividends for water, gas and electricity is expected to go up by 85 per cent. The utility land use charge is expected to bring in \$8 million this year, increasing to \$16 million in a full year. This will translate into higher water, gas and electricity charges for all householders. The water extraction charge will be up by 107 per cent to \$27 million. That in itself is expected to increase household costs by around \$118 a year, the single biggest increase in rates and taxes on average households since self-government.

The government will also hit motorists with a 34 per cent increase in revenue for traffic fines. Coming to work today along Belconnen Way, I saw those little white vans out there. You can expect a 34 per cent increase in revenue from traffic fines.

The city heart levy imposed on Civic businesses—budget paper No 3, page 47—is back on the agenda, although no-one knows how far it will extend and how it will operate. Nevertheless, the government expects to raise \$600,000 in the coming year and \$1.2 million in the following years.

The budget will do nothing to make housing in the ACT more affordable. Indeed, anyone from south-west Sydney lured by the Chief Minister's campaign to attract new settlers to the capital is liable to want to cancel removalists and stay right where they are. In the news reported yesterday, we find that the ACT already leads the way Australia-wide in the decline in house loan approvals. This data was recorded before the interest rate rise in May. According to the Property Council of Australia, housing affordability has worsened in the ACT at rates of almost double the national average.

We find in the budget that stamp duty concessions for first home buyers have been tightened up, with the properties for which you can get some stamp duty concessions reducing from an upper limit of \$375,000 put in by the former Treasurer down to \$326,000. Yet the average price of a house in Canberra is \$352,500. Unlike all the government's taxes and charges, there is no indexing. What \$326,000 can buy in four or five years time will be even less than now.

A new report by the Residential Development Council has found that government charges in the ACT are now higher than land costs and have risen by 237 per cent over the past five years from \$32,047 to \$108,011. Yes, you heard right—over \$100,000 for a new four-bedroom home and land package in the ACT. That is what it is based on. More than a quarter of the price consists of government-related charges and compliance costs.

Is it any wonder that the ACT has Australia's lowest population growth, according to the budget, at 0.5 per cent per annum or about 1,000 people a year? That compares with the national figure of 1.2 per cent. That compares with the figure of over two per cent over the border in Queanbeyan. But that has nothing to do with the undesirability of the region we live in. It has everything to do with ACT government policies, as I indicated. Queanbeyan, just over the border, exceeds the national average. The ACT is 0.5. You have only to look at booming Queanbeyan where the growth rates are, in fact, close to 3 per cent.

This is an anti-business budget from a government that simply does not understand what business does. How hollow the protestations of the government's economic white paper now ring with the claim of being "unashamedly pro-business and committed to actions that will make the ACT the premier business-friendly location in Australia". That is just another example of doublespeak from the government.

There has been a savage cut to BusinessACT's budget. The number of staff has gone down from 49 to 18. There have been dramatically reduced services to business and very large increases in taxes, fees and charges. And that tells the real story. For this

government—and this has been the tendency of most Labor governments—business is just the milch cow to pay for government and get it out of its own self-induced troubles.

Tourism funding has been cut by over \$3.5 million in 2006-07, a reduction of 18 per cent. A further \$1 million will be cut in 2007-08. According to the tourism industry, the decreased ability to promote tourism is expected to result in a drop of 10 per cent in tourism to the ACT, or around 200,000 tourists. The industry also believes that around 1,200 jobs will be lost as a result. Many of them, as is the case in this industry which employs a lot of young people, will be young people who are getting a start in life.

A cut of \$4.5 million could reduce government revenue by more than \$20 million. Now that is what you call cutting off your nose to spite your face. It is short-sighted and it is a stupid policy. Only two years ago the Stanhope government promised to inject \$28.2 million into tourism over four years—doublespeak again. I think it just shows the folly of this government. They are minor cuts, effectively, in the sum total of things, of several million dollars, but if you do not cut and that money is spent on things like tourism, you are maximising the benefit to the ACT. I think a cut of \$4.5 million reducing government revenue by more than \$20 million says it all: totally stupid, misguided priorities.

In the Police and Emergency Services portfolio, the government has announced an increase in funding in the budget for an additional 60 police officers for the ACT. But is this really an increase? No, it is not; it is just more doublespeak from the government. They claim that this will, over the next four years, increase the total number of extra police officers funded by the government to 120 officers, bringing us in line with the national average. At first glance this seems highly commendable until one looks at the real figures. And what the government failed to tell the community is that there has been an approximate loss of around 80 police officers over the last few years. This means that, after adding in the 60 officers they claim to have already provided, we actually have a net loss of 20 police, which becomes plus 40 after the additional 60 police promised in the budget.

In emergency services, we find that the government has ignored all the lessons of recent history by absorbing the Emergency Services Authority into the Department of Justice and Community Safety. And this is despite the McLeod Inquiry and despite the Auditor-General's findings which both recommended a stand-alone agency for emergency services. The McLeod report found that many of the problems experienced during those terrible bushfires of 2003 were exacerbated by the bureaucratic structure that hindered communications and front-line emergency responses under the old Emergency Services Bureau.

The Auditor-General recommended that the bureau be replaced by a statutory authority. Millions have been spent effecting the establishment of the Emergency Services Authority and now this is all money down the drain. Nothing, it seems, has been learned by this government, so we will have a return to the situation in which the bureaucracy paralyses the ACT's emergency responses, the very thing the ESA was meant to combat. Then the government has the gall to hit ratepayers with a \$20 million fire and emergency services tax without any explanation of how that is going to be spent.

With this government, if you have a boil, you cut off the whole leg, and that is also why I think the government proposes to close almost a quarter of our schools and preschools: Hackett, Reid, the Causeway, Chifley, Curtin south, Rivett, Weston, Flynn, Giralang, McKellar, Cook, Melba, Higgins, Holt, Page, MacArthur, Mt Neighbour, Village Creek, Gilmore, Isabella Plains and our two villages Hall and Tharwa. The government has slated 15 schools to close—Melrose, Rivett, Weston Creek, Flynn, Giralang, Mt Rogers, Cook, Higgins, Holt, Mt Neighbour, Village Creek, Gilmore, Isabella Plains, Hall and Tharwa—and it plans to close two secondary schools, one being Dickson College and the other Kambah high.

So the government plan to close no fewer than 39 schools and preschools. Yet this is a government that, whenever previous governments attempted to do this, were outraged and always stood in the way of any school amalgamations. Now they are going to close 39 schools and preschools. Consultation after the event—the closures have been announced—in a very detailed way as to what is going to close by the end of this year, next year and 2008. This wholesale destruction is what the government calls renewing our schools. But perhaps this just applies to the nine schools that will also amalgamate.

**MR PRATT:** It is a bit like Stalin's scorched earth policy.

**MR STEFANIAK:** It is a little like that, Mr Pratt. Narrabundah primary and Red Hill—my old school, actually—are going to amalgamate. Yarralumla primary will amalgamate with Forrest primary, Lyons primary will amalgamate with Curtin, and Woden high will amalgamate with Alfred Deakin high. Chisholm preschool will amalgamate with Chisholm primary, and Caroline Chisholm high is to form a preschool-to-year-10 school. Wanniasa preschool to year 10 is to be consolidated onto one site. Charnwood primary, Melba high and Copeland College are to merge—or possibly Melba high is going to close, and Copeland College will expand its year range from 7 to 12. Now for the rest there is no sign of any phoenix rising from the ashes. But we are entitled to ask, in Stanhope double speak: does amalgamate mean close? As to how schools will be chosen for closures—sorry, I mean renewal—it seems that school communities will be presented with a *fait accompli* rather than any proper consultation before a decision of closure.

In education 393 jobs are to go, half of them in school positions. There is no additional money for training in this budget, and not a single release mentioning it, yet we are told there is a skills crisis. This did not stop the Stanhope government taking \$2 million out of the training budget last year, either. You might expect, from everything the Chief Minister suggested about our living beyond our means, that our health system would be second to none. In fact our major public hospital, Canberra Hospital, is so overstretched it had to turn away patients from its emergency department on no fewer than 17 occasions last month. It would appear that overall spending on the Health portfolio is estimated to increase by \$61 million from \$690 million to \$751 million, almost nine per cent. But this too is more doublespeak because it will not lead to a substantial increase or, in some instances, any increase in the delivery of services. The problem is that much of this increase is simply going on transferred overheads, as outlined on page 12 of budget paper 2. It says that the budget allocates to health provisions previously accounted for at a whole of government level. That includes revised superannuation contributions of \$16.268 million, higher health insurance premiums of \$5.801 million, loss of revenue of \$10.865 million and additional wages of \$2.650 million.

So almost two-thirds of a notional increase of \$60 million does not deliver a single instance of additional health care to the ACT community. As so often, the government is spending more, not doing more. The ACT has the highest per capita public housing dwellings in the country, valued at over \$3 billion, yet in the ACT since 2001 there has been a growth of around 700 per cent in the number of applicants classified as in greatest need according to the Australian Productivity Commission's report on government services in 2006.

The administration of public housing is woefully inefficient. The same report shows that the ACT is second only to the Northern Territory in taking 50 days on average to prepare vacant properties for reoccupation. Budget figures show that ACT Housing will be worse off by \$13 million next financial year. Over the next three years, Housing ACT plans to slash its expenditure by \$33 million. Given the already parlous state of public housing, it is very hard to believe that that is realistically achievable. Of that expenditure, \$18 million is meant to be put back into the promised \$30 million budget injection for housing which the government has promised for a few years. In a budget of around \$104 million per year, \$11 million in savings is, I suggest, virtually impossible. It is about 10 per cent of a housing budget that probably is somewhat stretched and when people have difficulty having services being delivered. I will be absolutely amazed that that is a realistic estimate that can be met.

The environment, which should be a trophy piece for a Labor government which likes to profess to be green, has only token increases in this budget that fail to compensate for the cuts in previous years. Over years of the government forming and reforming environmental agencies in the bureaucracy, it is impossible now to actually trace spending cuts in this area. The latest incidence of this is the merging of Environment and Heritage, the Office of Sustainability and ACT Forests.

Climate change is probably the hottest issue in environment, but there is no money for it. The environment minister says that the government's poor fiscal position meant that climate change was not a top priority. The answer to the question "where do I make cuts?" would be in vanity items like the Human Rights Commission and things like the international arboretum and the bus lane and, yes, even deferring the prison because that, at the end of the day, is a can-have and a must-have. But fundamentally, in terms of what we would do differently, no Liberal government would let the situation deteriorate to this stage. No Liberal government would not know how many public servants we had in each of our departments and express absolute surprise at the fact that there are 2,500 additional—15,500 up to 18,000; where did they come from? No Liberal government would let the situation deteriorate to this stage.

Let me remind you, when we are talking history, that the previous Liberal government inherited an appalling deficit from Labor and handed over to a Labor government, seven years later, a surplus situation, and during very difficult times nationally. That demonstrates economic competence. You were given a very good surplus. You have squandered it through your own incompetence. So, if and when we take over in 2008, there is going to be a lot of work to do to fix up the mess you lot you have left us in.

Do not be gulled by Labor's promises to fix things, either. They are empty words. Remember Whitlam. Remember Beazley's "black hole". For whatever reason, it just

seems that Labor have not been able to manage money, and it has happened again here. Labor are now adopting the talk of fiscal probity. But can we believe them? The indications are that we cannot. It has already been remarked that there is far too much pillaging of business, ratepayers and indeed every section of the community through revenue raising and still too little done by way of cutting the government's spending.

The big-ticket extravaganzas like the prison and the arboretum—hopefully you have killed off the bus lane—have certainly not been killed off. No way. One has been slowed and one is on hold. This tells us that nothing really has changed and that it is only the government's doublespeak propaganda machine that is to the fore. Now the Chief Minister is talking of fiscal responsibility. Hence the release from his office warning us not to be complacent about the trumpeted dramatic turnaround which, as we have seen, is no real turnaround at all. This was like Dracula warning about impending blood shortages at the blood bank. It should be treated with scepticism.

Standard and Poor's has warned the government that it needed to take immediate action to ensure the territory's AAA rating but it has since stated that it was looking for more stringent measures. It is also anyone's guess how rubbery the government's figures are. The *Canberra Times* notes today that there is confusion about public service numbers in the budget. Agency employment tables in the budget show a total increase in staff from 2005-06 to 2006-07, not the projected 500 staff cuts the budget was supposed to be achieving. So what we actually find is that staff numbers rise from 15,354 in 2005-06 to 15,857 in 2006-07. Staff numbers are up in shared services, from 303 to 919, I would imagine as a result of the restructuring; in Justice and Community Safety from 721 to 1,382; and in Territory and Municipal Services from 1,018 to 1,185. In the already strapped Housing ACT, the \$33 million projected savings over the three years would take an absolute miracle to achieve. The estimates in health also look significantly understated. The shared services model the government is embracing—at least on the Western Australian experience of it—would cost us more money, not save money.

The true picture of this government is of a spendthrift administration that has not delivered better services. What we have instead is a government that aspires to make a mark in the annals of history with dubious firsts—a sort of *Guinness Book of Records* approach to government. It is truly the Stanhope government which has caviar tastes, unable to distinguish what is necessary and what is discretionary. So we will continue to see money wasted on projects of dubious or no value.

This Chief Minister has presided over this mess. He now wants to be seen as a firm but responsible leader. But the sheer extravagance of the projects and the preoccupations of this administration are reminiscent of the aristocratic ways of Prime Minister Paul Keating just before his fall. This is a government which, like the Bourbon kings of France—remember Louis XVI—has “learnt nothing and forgotten nothing”.

What we have to remember is that the ACT is not in this situation just because it has a narrow tax base. It is not in this situation because we as the community want too much. It is in this situation fundamentally because of the Stanhope government's own irresponsible waste and truly phenomenal mismanagement. This is not the budget we had to have. This budget was not preordained. It was not necessary. It has only become

necessary because of the decisions—the very poor, often foolish and deluded decisions—taken by this government over the last 4½ years.

It is public servants, community groups and ordinary Canberrans who will now pay a high price for the ineptitude and mismanagement of the Stanhope government, through higher charges, reduced services, job cuts and opportunities lost. It will mean that the elderly man or woman surviving on a pension linked to the CPI has to think twice before he or she decides whether they can afford to turn on the heater. It means that people on low incomes will worry about how they will pay the higher rents that will inevitably flow from the hike in rates for home owners. It means that businesses will struggle from fewer people being attracted to the ACT. For those who lose their jobs, it will mean dislocation and disruption. Those school communities which are to be disbanded will experience an emotional wrench from familiar people, places and routines and have to adapt, some of them probably with difficulty, to new and potentially less desirable arrangements further from home. For others, it is doubtful whether specialist disability services will be replicated in the new schools. For those who lose their jobs, there will also be trauma and dislocation. And if it is to be short-lived, it will be because of the federal government's ability to absorb new talent.

This is not a courageous budget. It is the result of delusion and folly, and nothing can excuse it because the crisis it is designed to meet is entirely of this government's own making, for which it should stand thoroughly condemned.

**DR FOSKEY** (Molonglo) (3.41): I have heard the Chief Minister give a number of versions of his tabling speech and I have now listened to the opposition leader's views on the budget. I have emerged from this process a little the wiser, but with three sets of questions.

The first set is: for whom is this budget? Which citizens will it most benefit? Whose agenda does it reflect? The second is: as this budget purports to look 20 years or more down the track, according to the Treasurer, where are the social and ecological considerations, since we know that in 20 years the impact of climate change will be well and truly upon us? How forward looking, really, is this budget? Thirdly, would the opposition have done much differently? I will explore the budget in more detail and then I will come back and answer these questions.

As Mr Stanhope said this morning, the budget is the most important policy document a government produces. The Greens believe that a fair budget puts the interests of the territory's people first. The best way to secure the wellbeing of our most vulnerable—children, people with mental illnesses and disabilities, the aged and people with few financial safeguards—is with the provision of quality public health, education and social housing.

The Canberra community voted for this government because it trusted a Labor government to care more about the things that matter—good schooling, housing security, a supporting community and a clean environment. That is not to say that having a strong economy is not important or that a government can or should allow operating deficits to continue. But you cannot eat money and, while we would all like an opportunity to see if money really can buy happiness, most people would agree that when push comes to shove health and emotional wellbeing are more important than spending a few minutes



longer in a snarling Canberra peak hour, on yet another fireworks display or on a dragway.

The Labor government claims hard decisions had to be made about what our community really needs as compared to what the government provides. This is one of the hard tasks of incumbency. But in assessing these needs the government seems to have limited its thinking purely to dollar terms, rather than adopting the triple bottom line approach to which it has previously said it was committed, which assesses the social, environmental and financial needs of its constituency.

The Chief Minister has a dim awareness that such an approach is desirable. At estimates hearings last year he threatened senior public servants with their jobs if they did not follow the Auditor-General's recommendations on the use of global reporting initiative benchmarks, but somehow that enthusiasm evaporated when it became obvious that this budget might not be the best one to trial such a system. The mysterious Costello review must have been scary reading.

Jon Stanhope's instincts were right: triple bottom line reporting would be a useful tool with which to pursue a sustainable future. In taking the economic hard line, the Labor government has abandoned its core value of social justice. I fear that Mr Stanhope's newly acquired Treasury portfolio and the functional review might have persuaded him to make this move. I am scared that, just as Paul Keating was temporarily blinded by the economic rationalist nonsense coming out of his Treasury, a similar process of absorption might be taking place before our very eyes with the Chief Minister.

The government claims that tough economic decisions had to be made so that the ACT community could realise progressive actions at a later date. Herein lies the weakness of its strategy for, in failing to look after today's community priorities, we will face tougher social problems down the track. There are innovative responses to the problems this community faces, but this government has not sought them. Rather than rethinking its approach to revenue and spending measures, the government has stuck to the same old formula. Instead of true reform, we have been given more or less the same.

Budgets should start from a broader values base and ask what type of community we want to live in and how government can assist in its development. The ACT government could have used the functional review to determine what ACT residents need socially, environmentally and financially and quarantined those areas or developed them, rather than examining what funding can be cut across the board.

This budget appears to be merely an exercise in following instructions laid down by the functional review. That review could have been a collaborative process. Instead, we are not even allowed to glimpse it. There is no rationale now in keeping it secret. If the Chief Minister and his team really still believe in the fine values expressed in Canberra's social plan, they ought to have the courage to put their budget guidebook, the full Costello review, on the table and open it up to real social impact analysis.

What is it that Canberrans need that this government has failed to protect? Without asking them we cannot be sure, but we do know that the list would probably include high-quality local education, jobs in our public and community sectors and affordable housing.

The federal Liberal government's WorkChoices and welfare-to-work regimes have already begun to bite the poorest and most vulnerable in the ACT community. Of course, the territory should not have to pick up the pieces for the social destruction caused by the federal government, but it should at least build on its own essential programs and services.

The government's excuse for large cuts in education is that we already have a highly educated population, but what about the people who are not well educated and what about the children who grow up in households facing significant disadvantage? Instead of building on the strengths of the ACT people, a social capital approach, this government is squandering them.

It is easier to talk about education than other areas of this budget because at least here the government's ideas have been made clear. Over the past several months, a number of people must have been beavering away on a plan for government schools. The *Towards 2020* report was mentioned in passing in the budget speech, but it is in fact a hard-nosed blueprint for remaking and repackaging ACT government schools.

It appears to me that it is a response to the challenge of a growing cohort of parents bewildered by how best to advantage their children in a globalising world. They are doing this by seeking out a social set for their children, using the rhetoric of choice. Many of them are choosing non-government schools, which is threatening to make the provision of top-quality public education for remaining students a potential difficulty.

Unfortunately, the approach this government has taken has been high-handed and imperious, demonstrating no respect for communities, no preparedness to listen, no interest in working with others and no research base for making the proposed changes on a grand scale. There has been no attempt to bring others into the planning or decision-making process. Thus far, this exercise has treated people who are not a part of the government, such as parents, teachers, kids and school board members, with disdain.

It is interesting that this reorganisation and recasting of the ACT school system will not actually save much money. Of course, having fewer principals should save a bit, and fewer teachers, though, judging by AEU comments recently, that is not dependent on closing schools, and cutting staff from the central office and cutting superannuation for the new teachers while they will pick up more face-to-face hours, with less professional development and more demoralisation.

The actual plans for school closures and refocusing are, in my view, a mixed-lollies approach. There will be a few early childhood schools from preschool to year 3 and then a middle school somewhere else for years 5 to 8, before a high school and then a college maybe. Oh, yes, and perhaps a special year 4 school which the 2020 plan must have forgotten or failed to mention, and parents zapping all over Canberra trying to get their kids to the best school before work.

With 40 fewer schools, there are now going to be eight different models, giving a choice to everyone with the time, the interest and the enthusiasm to search it out. It would seem that everyone around the whiteboard got overexcited with the idea of being able to plan a new educational system without having to talk to the parents, the P&Cs, the AEU or the

students. By deciding to close Cook school, which is 90 per cent full and has a strong supportive community, therefore not fitting the empty desk criteria, the department is showing us that it does not seem to like small schools.

I would like to know whether the Community Inclusion Board has had a look at this policy and I would like to know whether it has been poverty proofed at all. This government and the team of enthusiasts who have put together this massive attack should go back to the poverty task force and read its findings about communities, schools and social inclusion.

I understand why the ACT government is trying to respond to the antisocial consequences of the federal government's education policy. I fear, however, that the least advantaged will not be served well by this wholesale desertion of suburban amenity and local community support. The preschool sector really must be wondering what has hit it. The former education minister came into the job with a real commitment to maintaining the community base of preschools. It is hard to imagine that Minister Barr whipped up this plan in the past month, so clearly she has had a change of opinion.

I understand that we do not rate well against the benchmarks for preschool expenditure across Australia. We spend more. But co-locating preschools, which appears to be the plan, is unlikely to save a lot of money because the same number of preschoolers will need the same number of staff, and it is the staff who cost the money. In this case, the answer seems to have no connection to either educational or social outcomes and it does not appear to be a lot about money either.

The ACT government is yet to say how it will use the buildings that will be vacated. If there were a way of using those facilities for children or community activity that covered costs, the 2020 plan might make more sense. Nonetheless, we are not prepared to accept the sale of community facilities, as they are a diminishing resource.

This city is shocked that the ACT government is moving so fast, with so little attempt to work with school communities in exploring the options. One thing is for sure: the decision to close schools will set the theme for the rest of the government's term.

In 2004-05, ACT community service organisations had a nine per cent increase in demand for their services, equating to 10,811 new clients. Even so, 13,588 had to be turned away, as community organisations were already operating at maximum capacity. The majority of the community organisations have reported that this demand, and their incapacity to meet it, is much worse than in the past, and the areas of most pain appear to be related to mental health, drug and alcohol problems, and housing.

In this context, the ACT government's implementation of the 3.7 per cent indexation to community sector funding is welcome relief. We are also pleased to see the implementation of a streamlined contract management and reporting unit within DHCS. But these measures do not address the inadequacies in base funding, facilities or work force viability that this sector faces.

Last year the government cut \$1 million from the renew community facilities and infrastructure fund and this year it has cut another \$70,000, redirecting the money to *Groovin' in Garema* lunchtime entertainment. *Groovin' in Garema* is a bit of fun and a

showcase for local talent, but how many beds does it provide and how many mouths does it feed?

The ACT government has also failed to address the community sector task force report, which makes major recommendations regarding community sector industrial relations, work force development and funding issues. While the sector works away serving the most vulnerable in our community, with incredibly tight resources and difficult working conditions, a turnover rate twice the national average, at over 30 per cent, and a turn-away rate higher than any other region, the ACT government has totally ignored this task force report and there are no budget initiatives to solve these problems.

While the changes to our school system will be attractive to some and devastating for others, at least we can see what the plan is. However, for another year, despite a task force and summits, the government has been unable, or unwilling, to put an affordable housing strategy together. In 2001 there were around 9,200 ACT households in housing stress that were also in the bottom 40 per cent of Australian household incomes. Whilst this data is based on the 2001 census, every indicator of housing stress or affordability since then has indicated that the situation has become considerably worse in the following years. Perhaps the temporary housing minister could see what she could do in the next couple of months as the source of, and therefore solution to, our problems rests with the supply of affordable housing in the ACT private housing market.

This budget involves increases in rates and taxes. As increasing these charges will never be popular, the ACT government could have been a bit more creative and delivered on social outcomes as well as financial ones. One positive step is that ACT Housing will no longer be charged land tax. Perhaps affordable rental accommodation could have earned a tax concession as well. The increase in land releases should make some difference, but not at the sharp end of the housing crisis in the ACT.

Inclusionary zoning has been rejected by the housing industry and by the previous housing minister, but there is a way to incorporate community housing into other developments through a mix of regulation and concession which would share the cost across, rather than lumping it onto, developers. I note that, despite official rejection, there are some bold examples where it is going ahead, and I am watching with interest the consultation and planning for the replacement of Burnie Court.

The Greens are particularly disappointed in the failure to find more funds for community housing, particularly in light of the critical shortage of exit options from crisis accommodation and the impact of the federal government's policies. The cut to SAAP funding is particularly offensive in this area.

It is no wonder this government has failed in this budget to deal with the social implications of its decisions, because the functional review, that mysterious document, completely ignored them. I note that the review was happy to rerun the tired old property investors' line that Canberra has too much public housing. Canberra does have a high level of public housing, but it has no church housing, no low-cost private rental housing, no old-fashioned boarding houses and limited community housing stock. It clearly does not have too much public housing. If it did, the Narrabundah long-stay issue would not have scared people in government and across business as much as it did. But there is

certainly too much public housing that is energy inefficient, in poor condition, and not well-configured to meet demand.

The extraordinary thing is that the housing budget for 2006-07 is a charade of public relations words and magical figures. Perhaps housing really is important to the ACT government, but the government is too embarrassed to admit what it has been doing to it. The government claims to have met its election commitment to deliver \$30 million for stock expansion, but these figures are extremely misleading: \$18 million of it is being funded by cuts in ACT Housing's administration; 500 houses are to be sold; eligibility criteria will tighten; and SAAP will lose funding. To top this off, the bottom line for housing is \$13 million less than it was for the last budget and the government spent \$7.7 million less on housing in 2005-06 than it promised. In doing so, the ACT government is endangering the public housing system even further.

Tightening the eligibility criteria will ensure that people with very limited incomes and with very few options still will not have secure and affordable housing. It will become a kind of competitive misery, ensuring that only the most disadvantaged, and presumably deserving and disadvantaged, will have a chance to get into a shrinking pool of homes. I am really concerned at what Canberra will look like in five to 10 years with public housing increasingly limited to people in most desperate need and presumably in places where the land is cheapest. I hope that we are not looking to an increased trend of gated villages for the rich, with the poor relegated to the streets.

Cannibalising public housing is not the way to position ourselves for the immediate future. Evicting tenants paying market rent would simply undermine the viability, social as well as economic, of ACT Housing, leaving us with greater and greater problems. Not only that, but it would also remove community leaders and advocates from public housing, forced to move as they gain a reasonable income.

I would like to know whether any analysis of the welfare to work and WorkChoices programs was fed into these decisions on housing, because secure and affordable housing is the most fundamental need of people doing it tough, and more people will be doing it tough in Canberra, however well off and well educated our benchmarking figures would show us to be. I would like to see the poverty proofing analysis of this government's overall approach to housing, I would like to see the social impact analysis of the decisions it has made and I would like to see evidence of a plan where one is most needed, but that just has not happened.

The developed world faces an ongoing problem of increasing costs of high-technology medicine. By contrast, Aboriginal communities in central Australia cost the Australian healthcare systems less per capita than the communities of Vaucluse, but whose need is the greater?

Canberra's privileged economic and educational status means, inevitably, that our health system costs more than others. Of course, we do play an important high-technology role in the region. I am pleased to see the \$11 million increase in cross-border revenue in this budget, though I would suggest that a careful look at the role that the ACT's health system plays in the surrounding regions of New South Wales and Victoria might identify a further increase.

I do not deny the premise that the ACT needs to correct its financial position, but benchmarking is not the only indicator of efficiency or desirability. It is worth noting that hospitals appear to be in trouble right round Australia. At the same time, we have a debt free federal government with a surplus of billions that it does not know what to do with. In regard to hospital waiting lists, I hope that the government will be prepared to respond to the public accounts committee's inquiry into the Auditor-General's report, because I think that it will come up with some useful information and advice.

The growing waiting list for dental services is a health disaster. Once upon a time, the federal government provided public health funds for dentistry. Now there are long waiting lists, limited services and growing imposts. Poor dental health has strong links to general health problems. It is not a cost saving for this government not to improve dentistry services for people who most need them.

This budget ignores the unmet demand for government-supported home births and midwife-led care, where women are more in control of the birthing experience and the costs to the system are much less than the medical-centred obstetrician approach. There are no new initiatives to support necessary changes to current maternity services.

We would have liked to have seen increased funding for the birth centre, which Ms Gallagher says works fine, as long as you register for the waiting list at five weeks of pregnancy. Midwives working at the birth centre should be paid and given equal conditions to midwives in the general maternity ward. There should also be a government-supported solution to the insurance impasse for independent midwives, and, generally, more funding put aside to implement the recommendations of *A pregnant pause*, which has been paused for far too long. There is nothing in this budget to indicate that such changes are on the way.

According to the 2004-05 national health survey, 14 per cent of ACT residents reported that they had a long-term mental or behavioural problem, compared with a national average of 11 per cent. The proportion of ACT residents experiencing high or very high levels of stress has increased from nine per cent in 2001 to 12 per cent in 2004-05, and females were much higher than men, at 15 per cent compared to nine per cent.

On 5 April the ACT government welcomed the federal government's commitment to new funding for mental health in fulfilment of a COAG agreement to elevate mental health on the national health agenda. The Chief Minister also said that he would consider any ACT commitment in the context of the ACT budget, and now we have it. The ACT government's new commitment to fighting mental health is \$8 million, mainly directed towards clinical services and promoting community services that are not there.

So while our government goes on and on about how it spends 20 per cent more than other regions on government services, it has failed to give the attention deserved to this problem, which is so much worse than the national average. But it is not just a matter of dollars; it is also a matter of means. It is clear that we need to be doing more with our money when it comes to mental health and it is also clear that there are ways that we can do so. The recovery process occurs in the community, rather than within hospital walls; so innovative means are needed to assist those people at greater risk in keeping healthy.

More funding is needed for non-acute community programs. This would be much cheaper than only focusing on the acute end. It is commendable that this government has committed to developing a step-up/step-down facility for young people, but it has not provided resources for the 90 per cent of young people who are presenting with dual diagnosis.

Having talked at length with the Australian Federal Police Association, I welcome the additional funding for more police officers. However, all my concerns about lack of adequate accountability and value for money remain. So, before you hand over the money, make sure that you get a commitment that we will not end up training even more raw recruits, that closed circuit TV cameras will be operating and monitored, and that skill levels will be maintained when experienced officers are shunted off to East Timor or the Solomons, and insist on penalty clauses if the commonwealth does not deliver.

If we are serious about fighting terrorism, let's have some community building initiatives. Has the education minister thought of the detrimental impact on community cohesiveness that closing schools could have? On Tuesday, the education minister said that he thought it would be wrong to have a profit-making organisation sharing school buildings. Why doesn't Mr Barr ask parents whether they would prefer to have no school at all in their suburb or have profit-making or cooperative preschools sharing their school buildings? Would they prefer for their child to be able to walk to school or have that empty wing of the school occupied by a commercial preschool? As the saying goes, it is a no-brainer.

The budget reflects the lack of advocates in the ACT government that the environment appears to have after the cabinet reshuffle earlier this year. Despite pre-election rhetoric from the Stanhope government about the environment, there is nothing in this budget which reflects that commitment. The Chief Minister did not even mention it in his tabling speech.

I have to agree with the conservation council on this one: it is a sad budget to see in the week of World Environment Day. The environment, especially sustainability and climate change, has disappeared off the priority list altogether. We no longer have a minister for the environment, since it has been largely subsumed into municipal services. Instead, responsibility is confusingly fragmented between chief minister's and municipal services. The Chief Minister appears to have lost interest in the environment this year, but the Canberra community is more worried about the impacts of climate change than ever.

The Office of Sustainability, a past pet of the Chief Minister, as well as being split up and mostly sent off to municipal services, will lose \$373,000 in 2006-07 and progressively more in the following three years, so that it will receive less than half its current funding by 2009-10. This is the office that was looking forward to implementing the policies and legislation which it has been developing for the past three years.

The shuffling of areas off to different departments and ministers could be a smokescreen to ensure that people cannot easily interpret the budget in a meaningful way. Last financial year, environment and heritage was transferred from the Department of Urban Services to the Chief Minister's Department, and this year it is being transferred back to

the Department of Territory and Municipal Services, in a different format of course. Talk about confusion! The employees do not even know who they are working for half the time, let alone the public.

Take the parks rangers, for example. First they were working for the ACT Parks and Conservation Service as part of Environment ACT. When they were merged with ACT Forests, they became Conservation and Land Management. Now they are Recreation and Land Management. How is that efficient and how does it help with environment protection?

This problem is not confined to the environment portfolio. The portfolio game is a well-shuffled pack indeed. There are few areas in this budget which take longer-term social and environmental impacts fully into account, although there are a few commendable and photogenic low-cost initiatives, such as endangered species recovery and fencing off a predator-free sanctuary in Mulligans Flat. In most cases, however, environmental considerations only appear as an afterthought to financially driven initiatives, and the closer you look at this budget the less you find. There is certainly no environmental bottom line.

I am glad to hear that “the government's sustainability agenda will continue to influence environment matters on a whole-of-government basis in pursuit of an integrated approach to a sustainable Canberra community.” However, I do not see that reflected in this year's budget.

The functional review has recommended that the budget utilise the GFS accounting system, which will give a better economic analysis. However, all the work of the previous Treasurer on triple bottom line accounting and any plans to use sustainability indicators seem to have been lost. This budget does not take longer-term social and environmental impacts fully into account. Last year, in the annual reporting process, we heard Mr Stanhope threatening agency heads concerning their performance agreements if they did not use the global reporting indicators, yet there is no sign of such indicators in this budget process.

The largest new funding initiative in environment is not actually being spent on environmental protection. This government has prioritised what it calls bushfire management. Funding for upgrading fire trails, as well as pushing new fire trails through our nature parks and water catchment areas, is an activity that the Greens and conservationists do not usually support. New roads open up access for arsonists, pests, plants and animals without actually protecting the bush.

Over the past few years, Environment ACT has spent substantial amounts of money on training staff to gain qualifications in fire management. These park workers understand the environment they work in and have appropriate skills to do fire prevention work. Unfortunately, over the past few years, we have had a significant loss of ranger positions through voluntary and forced redundancies, and hence a subsequent loss of experienced staff. This leads to the need for inexperienced people being contracted over the fire danger period, an approach sadly being replicated in other areas of Environment ACT. Given these ongoing cutbacks, I am pleased to see the government's continued commitment to seeking community and expert advice on environmental matters. I hope



that this will be reflected in the environment grants program this year, when more funding details are revealed.

The ACT government has killed off \$935,000 in funding for the ACT no waste strategy. It looks like the aim of no waste by 2010 could be a pipedream. Again, where is the triple bottom line here? We have a long way to go with waste management in the ACT, yet there is no talk of extending recycling services to public housing complexes such as those in Northbourne Avenue and there are still no recycling facilities in town centres.

The government's commitment to sustainable transport has to be questioned again, as we see funding for cycling capital works cut this year by over 50 per cent to \$350,000, down from \$850,000 last year. We are glad to hear that this \$350,000 will be used to fund a cycling and walking underpass under Parkes Way near the Russell roundabout, but disappointed to hear that this comes at the cost of funds to build the many missing links in Canberra's cycle network.

Pedal Power pointed out yesterday that, prior to the ACT election, Labor stated it hoped to maintain the level of capital works spending on cycling at \$2.2 million a year. The sum of \$350,000 is only one-sixth of that. Given constant pressures of climate change and the fact that increasing petrol prices are impacting on Canberra residents, this is a time to invest more in the sustainable transport plan, not less.

Despite the Chief Minister's acknowledgment of the seriousness of climate change, there is no new funding for energy efficiencies or to enhance the use of renewable energies such as solar technologies. We have some of Australia's foremost alternative energy researchers working in this town, and time and again the Chief Minister misses opportunities for the ACT to lead the way with renewable energy solutions.

The budget papers compare the ACT favourably with other jurisdictions in Australia, while failing to mention that we emit the highest amount of emissions per capita. There are no new initiatives here to reduce our greenhouse gas emissions. Targets for greenhouse gas emissions were simply removed. I realise that the energy policy and the climate change strategy papers are still in the development stage, but funds will be required to implement them.

I have racked the budget without success for simple initiatives that could have been funded, such as funding for energy efficiency in public housing, mandatory energy efficiency targets for all new commercial buildings, or an increased and meaningful renewable energy target of 10 per cent.

The government says that it will cut the superannuation arrangements for new judges and magistrates. The remuneration of public judicial officers is falling further behind that of their private sector colleagues. I think that it is counterproductive to match private sector remuneration for many public positions with the excuse that job satisfaction comes from performing a public service. The judiciary has a phenomenally difficult job to perform and it is of the utmost importance that our judges and magistrates are experts in the law and equal to the task of matching wits with barristers commanding fees of over \$5,000 a day, otherwise justice will become even more of a commodity which only the rich can afford.

The government congratulates itself for having made tough decisions on superannuation, but it is not tough to slug future workers with inequitable imposts and we in the ACT are always in competition with the commonwealth for the best public servants. I suggest that a sliding scale be used to share the impact of lower government superannuation contributions. Existing members could have their government contributions reduced by a set percentage per year and new entrants could start on nine per cent and have their government contribution increase by a set percentage each year until the overall superannuation debt stabilises at an affordable level.

Everyone would end up on a higher rate than nine per cent because existing members would be paid less and there would always be new entrants who received less as they worked their way up from the base figure of nine per cent. That would provide an incentive for workers to remain with the ACT public service. Also, older members would tend to be on higher salaries, so the savings from paying them a few percentage points less would result in significant savings. Of course, you always have to remember that this is not a practical measure while the commonwealth continues to pay higher rates of superannuation contribution.

The Chief Minister said that future generations will thank him for these measures, but it is existing superannuation fund members who should thank him. New members will surely curse him as they do the same work as their older colleagues for less. A similar scheme should apply to MLAs. Existing members have benefited the most from past financial irresponsibility. It is inequitable in the extreme that they not be called on to bear at least their share of the burden.

Superannuation funds should be spent in the local economy wherever possible. The multiplier effect this would have is obvious. We also should use a portion of our superannuation money to fund increased public housing stock. It is a good low-risk investment in anyone's books. Bricks and mortar. The banks cannot get enough of it. Do not lose your nerve. The existing policy is sound. You just have to find some commitment to it.

Selling off high-value housing stock without replacing it to meet the demand would pander to the greed of property developers, shrink affordable housing, stratify communities into income brackets and lower the viability of the public housing program. Do not get rid of full rent paying public housing tenants. They help cross-subsidise other housing tenants. Why do you think private developers want to get their hands on these properties?

As I have said before, if the Greens were in power we would use the government's market power in more directed and intelligent ways. Ratepayers are compelled to pay rates. This assured demand can be matched with the supply of a range of choices which offer savings to both the government and the ratepayer over the longer term. The government should use the economic levers at its disposal to influence behaviour.

Instead of just raising all rates by six per cent above inflation, though the projected revenue shows the figure as being even higher than that, why not offer a rebate for double glazing, efficient insulation, grey water use and solar passive construction? We would save on infrastructure costs, household expenses would decrease over time, and

Canberra's inequitably large ecological footprint would be that much less. Why not force ActewAGL to set up the mechanisms and give credits for energy put back into the grid from partially subsidised photovoltaic cells on Canberra rooftops?

Professor Andrew Blakers had an excellent scheme regarding that but, due to a misunderstanding on the part of the government, his proposal was rejected out of hand. Why not at least look into all these things? There is no good reason why not. I have not even started on what I would like to see apply to business property owners, but be assured that a surrogate carbon tax and habitability index would be part of the mix.

Landlords can only continue to pass on increased costs directly if there is a level rates playing field. I say tilt the playing field, move the goalposts, give the market a clear signal as to where you want it to go, and it will meet you there. Builders would include these features in new housing because it would make their DAs less expensive and because they know that investors and homeowners would want them and pay a premium for them.

The government has abandoned the CPI as a basis for rates increases. I suspect that moving onto the wage price index may be too greedy. Moving off the CPI will impact unfairly on the unemployed, whose commonwealth benefits are not even indexed to the lowest CPI amount, so I hope that the concessional rate rebates will be calculated to compensate for that, and the same goes for age pensioners.

One measure which would save revenue, increase equity and lead to an overall sum of happiness in the community would be to stop awarding pay rises on a straight percentage basis. The multiplier effect is much greater when money flows to people with lower disposable incomes. It also results in a greater velocity of money, which generates more wealth.

Percentage-based wage increases exacerbate existing income inequalities and lead to greater social discontent. The Australia Institute, among others, has done good research on how, once a certain income level is reached, happiness is more dependent on one's comparative wealth rather than actual wealth. The strongest predictor of happiness is the strength of personal relationships. That is why triple bottom line accounting makes so much sense, if quality of life is what we are aiming at.

Moving land sales to the capital account is a sensible idea. Land is capital, as is clean air, potable water, reasonably quiet suburbs, the view of stars at night, parkland and healthy natural ecosystems within our nature reserves. I am concerned that this budget has focused on increasing revenue while failing to quarantine vitally important social and environmental programs. We could have found the money to maintain these programs. For instance, the Chief Minister's public relations budget could have been held down to informing the community rather than to promoting the government. I think the government has betrayed its true believers with this budget, while pleasing organisations such as Standard and Poor's which are not personally affected by the swinging cuts into community capital.

No, we cannot price these proposals. We do not have the resources. And you cannot steal our policies, either, because we offer them to you free of charge. Results are what we are after. Have these proposals costed. You can take our good ideas and laugh at our fiscal

follies. For instance, I think a fully funded public dental scheme, childcare, and home-based senior citizen and nursing care would be wonderful, and we should be striving to make them a reality.

The fact that nobody seems happy with a budget is often cited by government as an indication that it is fair. Unfortunately, the burden that falls on the weaker members of our community is severe and will be felt disproportionately to the relatively small cuts that have fallen on the business community, although we can expect its cries to be louder.

I would just like to go back to my original questions. First of all, I asked: whose agenda does this budget follow? I would say that this is a budget for Treasury. On Tuesday night I did ask as many people as I could whether they loved the budget. I did not find anybody who did. However, I did not speak to any Treasury officials. Secondly, is this budget forward looking? Fiscally perhaps, though I am sure that 2008 is the main target of this budget, as with any other. It is absolutely not a forward-looking budget in terms of the environment or our social capital.

Finally, would the opposition have done anything differently? Judging from the conversation I have heard across this room today between Mr Barr for the government and Mr Mulcahy and Mr Seselja, I would say that the opposition would not have done anything particularly different, nor did I hear anything positive or any alternatives coming from Mr Stefaniak's speech on the budget, which was purely a litany of complaints. We might have been a little bit different as to the details, but what we are looking at here is a budget that is about the economic bottom line but which ignores the social and environmental needs of the Canberra community in the years to come.

**MR MULCAHY** (Molonglo) (4.26): We just heard a fascinating dissertation. Of course, the one profound thing missing from all these great ideas is: how much do they cost? For too long that has been the problem in this territory. People on one side or the other or with a mish-mash of interests secure government and then embark on all manner of wonderful ideas. But, of course, there is not the revenue to match. That is why we are having this discussion this week.

The hallmark of this government has been to spend up big and not worry about the consequences. Now, after having had a look at the financial situation, they have said, "We are in strife. We have got the credit rating agency breathing down our necks. It will have terrible consequences. Let's make these horrible budget decisions now and hopefully, by the lead-up to October 2008, everyone will have forgotten." So many governments that have got themselves into strife have worked on that principle, and invariably they have paid the price. Time will tell.

When we look at the track record of the Stanhope Labor government, it is certain that this budget was inevitable. As I have indicated on a number of occasions in the last several days, over the past four years this government has enjoyed a revenue bonanza from land sales, stamp duty and GST, but that has been squandered. As I have pointed out, and will continue to point out, windfall gains in revenue since 2002-03 amounted to \$900 million. But none of it was banked.

**Mrs Dunne:** How much?

**MR MULCAHY:** \$900 million. That is an extraordinary windfall of gains for this territory that could have been used to avoid so much of the pain that is being inflicted on the people of Canberra. The Labor Party always attempt to categorise the opposition as heartless or cold or economic rationalists. In fact, this budget has indicated to the people of Canberra that this government could not care two hoots about the ordinary people.

Time and time again we hear these pat speeches from Mr Gentleman about Mary of Wanniasa or Tom of Belconnen and the terrible plight of the working people, as he calls them. Well, the entire working population of Canberra has been hammered under this budget. There are people in this town who are not earning the salaries that members of the government are earning. They will be the ones to suffer and they will have enormous difficulty making ends meet.

As I said earlier today, this budget will affect so many of their basic pleasures in life. Their discretionary dollar will be gobbled up by this series of charges. Not even the Chief Minister understands how the new indexation system works. I raised it with him yesterday. Today he said, "Well, it is up over three per cent and it was only two. Your calculator is wrong. How can that be a 45 per cent increase?" Maybe Mr Barr, who is a little bit more skilled on matters of economics, might be able to sit him down and explain to him that the percentage increase from CPI to WPI is, in fact, in the order of 45 per cent.

That will have a compounding and very deleterious effect on the financial position of many people in Canberra, especially retirees, people on fixed incomes and the so-called working people that in the past Mr Gentleman has built so many cases on and pretended to suggest are the ones that Labor care about. They are the people who are calling my office. They are the people who are distressed at the figures in the *Canberra Times*. The *Canberra Times* only had the rate increases. They have not gone through and done all the rest of the calculations. They are horrific and are causing people to be distressed.

Most people do not live with vast amounts of surplus cash available to spend at the whim of a government that now realises it has made a great mess of things. Most people tend to live to their income levels, and I believe that a government that imposes a raft of charges that require a city of salary and wage earners to suddenly and dramatically change the relativities within their income and expenditure patterns will be dealt with severely in two years time.

There is a remarkable lack of sympathy for this budget from the community. It is universal. I have never been to a business breakfast meeting like the one I went to yesterday where I heard people jeering the Chief Minister. It is without precedent to see that reaction in such a forum in this city. It spoke of the anger that exists amongst those who attended about the way in which this Chief Minister has arrogantly gone about it with this budget.

There is no remorse. There is no attempt to demonstrate sympathy for people. It is just a case of, "Well, you know, we have made mistakes." The government is trying to blame Trevor Kaine or—I do not know—Kate Carnell or somebody in the past before most of the people sitting here were in the Assembly. They are saying it is all somebody else's fault. It is always somebody else's fault. From what I hear, it does not matter if it is

somebody from the Labor Party or elsewhere. It is everyone else's fault; you are here only because of Jon Stanhope, and remember it every day. That is what we are told. I think they will find that it will be that same man who will be responsible for a number of them going out of this place in due course.

The Chief Minister likes to repeat the mantra of his former Treasurer, that extra money was spent on child protection and bushfire recovery. It is true that some funds were spent on those items. But a lot of funds were spent on other things, including a number of what I would call vanity items of personal interest to the Chief Minister. But whatever he has spent in those areas has been dwarfed by the massive blow-out in expenditure on the public service. As Mr Stefaniak stated earlier, of the \$900 million windfall, \$445 million has gone to Labor employing some 2,300 more public servants and paying them more. My advisers gave me these figures and I went through them several times because they are just so extraordinary. But there they are in the reports published by this administration. Half of the windfall gains and revenue that fell into the lap of the Stanhope government has, in fact, gone towards bloating the public service.

Have we seen improvements in services? Maybe we have a vastly improved city, a better-managed city. Is the healthcare better? Is it not the case that 4,500 people are on waiting lists for elective surgery? Are our children suddenly dramatically better educated? Is that what Mr Barr would have us believe? I do not think so. I have not looked at the latest figures, but this year I have taken representations from 600-odd people. People are not writing to me saying, "Things are going wonderfully well." I hear from large numbers of people very dissatisfied about basic services in this city. Yet they have seen this massive increase in expenditure. When we see so much more outlay with no apparent improvement—indeed, we see a marked deterioration in the look of our city and the condition of our roads and other amenities—one has to ask about the efficiency with which these agencies are managed.

The budget acknowledges that some fundamental reforms are required to improve service delivery, reduce the cost of providing those services and reduce the drain on public finances. The budget does not directly use the words, but it strongly reinforces the need to accelerate economic growth in the territory through improved productivity. That is the test for the government's management. I am sorry Ms Gallagher has bolted, but I know the former industrial relations minister. She does not believe in productivity. Mr Seselja and I had the pleasure of being educated on her views in estimates last year.

**Mr Seselja:** Didn't they turn the lights off over Christmas?

**MR MULCAHY:** Yes. When I asked Ms Gallagher what the productivity savings were, she explained to us—in fairness, it may have been her official; she may have been just the presiding minister—that they save electricity by letting public servants take off from Christmas to New Year. This is the massive productivity gain this powerful negotiator got for the ACT taxpayer. I was talking to a media person a moment ago and I was asked to repeat that because that person was in a state of shock to hear that. That is the level of productivity negotiations.

I have no doubt that at the next EPA round the unions will say, "Now that you have ripped apart our super, we need to be compensated with higher wages." If the negotiating skill of the territory in terms of wage matters is anything to go by, I think it will be the

easiest round of negotiations ever. What are they going to do—turn the heating off as well at Christmas and say they are saving more money? This is the sort of response that we are getting from this government.

The result, of course, of Ms Gallagher's poor capacity to negotiate industrial relations was that the taxpayers of Canberra paid out millions of dollars for no gain. What the minister does not understand is that productivity growth is the only way to achieve substantial gains in living standards. It is a case of working smarter and finding better ways of doing things. Frankly—and I am not sure my colleague Mrs Dunne agrees—I do not think my measure of productivity is telling teachers, many of whom give up their evenings and weekends, that 15 minutes more contact hours is some demonstration of great productivity. We want to see a better-run health system, a more efficient health system, and to ensure that the serious issues are tackled, rather than these tokenistic things that fail to recognise the real problems in the education system. The sorts of pronouncements that are in the budget papers do not tackle the fundamental concerns that exist in education. There is much evidence that there is scope for improving productivity in Canberra's public hospitals by changing staff structures and work practices, which date back to the old commonwealth days. I am happy to talk about education, Mr Barr. Two days ago I asked my daughter, "Tell me about your classroom." She said, "Well, dad, there is a bit of a divide there. We often are all together in our class." I said, "How many years in your class?" She said, "Years 4, 5 and 6." I said, "Really. That is interesting. How many when you are all in one class?" She said, "Fifty-seven."

As a post-war baby boomer in the catholic system in the sixties, seventies and eighties, we used to live with those things. But I thought we had moved on from that era. This is the sort of thing that troubles parents who actually care about their children's situation. Instead, we will be focusing on making the teacher have 15 minutes more contact. That will be the solution, apparently.

The government's poor management is one of the main contributing factors to high and rising health costs. For year after year under Labor, forward estimates for health provided for annual growth rates of five to six per cent, but actual expenditure inevitably turned out to be 11 to 12 per cent. Last year, at the convention centre breakfast, I predicted that we would move to GFS reporting. At the time I was howled down by the government. I was told, "GFS is a stupid idea, Mr Mulcahy." Suddenly I am reading all these pronouncements by Mr Stanhope, and they have an incredible sense of familiarity.

They are very, very familiar words: we have moved to GFS because it is a great system; we recognise that the health costs are considerably above what we budgeted for. It is remarkable. I just wish we could get a little credit for having identified these problems at least a year ago. The government persisted with problems and failed to take corrective action; they failed to make provision with that windfall of \$900 million when they had the opportunity.

It is quite puzzling that the government would plan for a five per cent growth in expenditure in health knowing all along that the result would be more than double that amount. Why did they keep repeating the same charade? I really would like to see a firm plan for reform in health and a much greater commitment from the government to achieving actual genuine results. There is a lot that can be done. Canberra's public

hospitals are the highest cost and have the longest waiting times for elective surgery in Australia. They are costing at least \$81 million more than they should. If Canberra's hospitals—

**Mr Gentleman:** Where would you take that money from, then?

**MR MULCAHY:** Mr Gentleman asks where we would take the money from. That is just so typical of a Labor approach to economic management. It is never to cut back in areas of low priority. It is always to add on, have a new levy to fund something and keep spending. They never tackle the fundamental problem with the health system, which is lack of efficiency.

I am glad Mr Gentleman raised that because the very next point I wanted to make is that it costs \$81 million more than it should to run Canberra's hospitals. If Canberra's hospitals did the same job, on a casemix adjusted separation basis, that they are doing now but at the same cost as the average of other similar hospitals across Australia, they would do it for \$81 million less. It is important Mr Gentleman understand that that is the key issue. It is a matter of efficiency and good management. It is costing 23.6 per cent more than it should to run our hospitals.

There is so much more I would like to say on this budget. I know we will have opportunities when we get into the detail stage, but it is a tragedy. It is painful for many of the people in Canberra. I know we cannot read from newspapers in this place but, like a child with a blanket or a dummy, I take this Sydney newspaper today as a comforter. It tells the story. It speaks of the economic vandal whose disgraced government has declared war on Canberra. I think there is a message there for all members of the government.

**MRS DUNNE (Ginninderra) (4.41):** There is much that I could say about this budget by way of introduction.

**Mr Barr:** \$90 million for new schools.

**MRS DUNNE:** I will get to the new schools. Really, I think I will go straight into it and talk about the joke part of the budget. I think the joke part of the budget is the bit that used to be presided over by the Chief Minister when, for a while there, he fancied himself as the minister for the environment.

He talked the talk. Boy, could he talk! He went to the last election with policies about reforming this and doing that and all that sort of thing. But he went to the last election as a laughing stock environment minister because of his position on greenhouse emissions. He said, "Well, we have this strategy, but it is all too expensive and we cannot possibly do anything about it." He walked away from it.

What we have in this budget in relation to the environment is—absolutely nothing! The most environmental thing that you can find in this budget is the very nice botanical picture that graces the cover. This is the only aspect of this budget that has anything to do with the environment. There is not one significant cent being spent. There are no increases in funding, and this is on top of what I have chronicled as a \$6 million decline in spending on the environment in the last three or four years under the stewardship—



that is the nice environmental word—of the Chief Minister. When he was the minister for the environment we saw a \$6 million decline in spending on the environment.

What do we have? We have the arboretum, the vanity project that the minister insists on. He does not have the ticker to axe this program, but we are actually cutting it back. The big tree park that we talked about last year is now a little tree park. But the Chief Minister just cannot bring himself to mention it. In his press release issued with the budget he referred to the arboretum as a tree museum. We fell about the place—

**Mr Barr:** It's a tribute to Joni Mitchell.

**MRS DUNNE:** You pre-empted me, Mr Barr. You have only to think of Joni Mitchell:

They took all the trees  
And put them in a tree museum  
And they charged all the people  
A dollar and a half just to see 'em.

Mr Stanhope wanted to charge us 25 bucks to see the trees in his tree museum. But, really, when we are talking about the environment, we have to look at the water abstraction charge. The water abstraction charge is a rapacious increase to a charge which is already particularly on the nose for people. It is an increase, at one stroke of the pen, from 25 cents per kilolitre to 55 cents per kilolitre. In anybody's parlance, that is a 120 per cent increase, literally overnight. This comes on top of the increase in Actew's water tariffs to \$1.47 a kilolitre. It means that consumers will now pay up to \$2.29 a kilolitre.

This 120 per cent rip-off comes without any inquiry by the Independent Competition and Regulatory Commission, which just completed an inquiry into water prices. This 120 per cent rip-off comes despite the fact that the ICRC has already cast doubts upon the legal validity of this so-called water extraction charge.

We have to ask the question: why have this minister and this government consistently refused access by this opposition to the legal advice about the validity of the water extraction charge? Any doubt that we ever had that the water extraction charge was not an excise was blown out of the water the other day when, with one stroke of the pen, the minister increased the charge by 120 per cent.

Consumers are already angered by being forced to pay more for water to make up for the revenue lost by Actew and the government through the unnecessary water restrictions. I do say that during the last drought the water restrictions were unnecessary. They could have been less draconian. But we have to remember that all through the period 96 per cent of the water collected in the ACT went down the river to rice growers. Are rice growers more deserving than we are?

We have to wonder how this helps the environment. Why were our trees and parks destroyed, and what is the Chief Minister doing about this? The level of anger that I see and experience amongst people in the community whose lifetime of contributions to this city and to their gardens has culminated in dead and dying trees and gardens is palpable.

This is just rubbing salt into the wounds already opened by this vandalistic minister. He may be an economic vandal; he is also an environmental vandal.

But, really, the main issue for the day are those areas that fall under the responsibility of the new minister for education. What a start it has been for new minister for education! The head of the education union has described the education budget as the worst education budget in the history of self-government. Their own have turned on them badly.

There is a similar response from employers in this town. We in this town, as with many other places, are experiencing a significant skills shortage. What does this budget do to address this problem? Quite simply, it does nothing—not a sausage! I will quantify that a bit. In fact, it does less than nothing. It cuts funding to training. It continues the trend from last year, which cut \$2.1 million from the VET budget, by cutting a further \$3 million every year from the CIT budget. CIT, interestingly enough, was an institution whose virtues were being extolled only a few weeks ago by the minister. He has now gutted it to the tune of \$12 million over the term of the budget.

I turn to the Stanhope government's vision for our schools. We have listened to the rhetoric. There has been a huge amount of rhetoric over the last few days about building schools for 2020 with 2020 vision. I actually said to one of my staff that I am getting to that age where I should not really want the years to pass quickly, but I cannot wait until we get to 2020 so that people can stop talking about 2020 visions. I am sick of the cliché. If no-one ever uses it again in this context, it will be a very good thing.

It is a new found vision, a new found concern about the fact that ACT government schools are not competing well in the marketplace and that there has been a continual and steady exodus out of ACT government schools. It is a new found vision because, on 1 June 2004, members of the opposition asked successive ministers if they were concerned about this. In the estimates committee on 1 June 2004, my colleague Mr Pratt talked about people going out of the government sector into the non-government sector. Mr Pratt said that the figure was getting close to 40 per cent—it is now way beyond that—and asked, "Is this a concern for the government?" Ms Gallagher, "It is not a major concern."

Over and over again successive ministers for education have said it is not a concern. Suddenly, and quite rightly, but very belatedly, this minister says it is a concern. This minister has been saying—

**Mr Barr:** I have been here eight weeks.

**MRS DUNNE:** You have only been here for weeks. It has been going on for years. It may surprise Labor, but I do not want to respond to the government's proposal to close schools with mere knee-jerk opposition, even though that is exactly what the ALP did when a Liberal education minister closed about a tenth the number of schools that this government is proposing to close.

While we are revisiting ancient history, Mr Deputy Speaker—and it is a shame that Mr Speaker is not here—I want to compare those two situations. The Follett government, having taken on the admittedly poor economic position the commonwealth left them in

and making it considerably worse, had collapsed. The Liberal-led alliance government was faced with a crisis, a crisis not of their making, and they had to make very hard decisions. One of those decisions was to close schools.

What do we have now? We have a government that has been in power for five years, five good years economically, with windfall gains, as has been outlined by my colleagues, in their own revenue and a whole lot of things going in their favour: a building boom and a greatly increased GST revenue that has superseded all projections. Yet, astonishingly, the government is telling us that it has fallen on hard times and, as a result, things must go in public education.

What the government really should be saying is that it has, in fact, recklessly jumped on the hard times head first and has been given the necessary push by its economic mismanagement. Throughout the five-year period we have been assured that there has been no problem. In the lead-up to the last election we were categorically assured that this government would not be closing schools—that big lie!

Now, all of a sudden, someone has thought to check the bank balance. There were no unexpected costs, no new revelations, not even the excuse that there was less in the kitty than the last government said. Well, actually there was. The trouble is the last government was a Stanhope government. The only thing that remains unchanged since the last exercise in school closures is that this time it is not brought about by economic need; it is brought about by economic mismanagement.

One thing that has not changed is the rhetoric. It was interesting to read some of the debates and some of things that were said back in 1990 when my mentor, Gary Humphries, was in the situation of having to close schools because there literally was no money. It is very interesting to hear the rhetoric. I have been sitting here today and over the last little while thinking what must it be like when you are a new minister for education and you do not know very much about teaching, which is not to say that the minister does not have other great attributes. I imagine they are rubbing their hands together with glee in the department of education. They are saying, “Minister, we know how you can save money. Never mind the fact that we will be spending nearly 10 times as much to make the money. Minister, we can arrest the decline in public education. Never mind the overwhelming disruption that we will experience in the meantime.”

Let us have a look at what has occurred. Last year we had the closure of Ginninderra district high school. Then there was the one big school, just like the one big union, and that was the preferred model under the then minister Katy Gallagher. But we all know that Mr Barr was never going to be a wobbly, so we now have a complete smorgasbord of alternatives. We have got middle schools, K-12 schools, P-3 schools, 5-8 schools, 7-12 schools and probably a few more combinations that I have overlooked so far. We have all of that and we are pretending that we are going to save money.

Those of us who have been teachers and parents know what parents, not bureaucrats, find attractive in schools. It is not experimentation. There is no combination of year groups and subject groups that is really going to be a turn-on to parents. What parents want is quality education, reliable infrastructure, fair assessment, stability, comprehensible feedback and commitment. Dispute the rhetoric in Mr Barr’s agenda,

these ideals really will not get a guernsey. These are the qualities that we should be looking for in schools and these are not the qualities being nurtured in Mr Barr's agenda.

The sad truth is that people are leaving the public education system, not because they do not have the right age group mix or the right curriculum options. They are leaving because things are constantly changing. What we see with this towards 2020 package is even more change, change for its own sake. People are leaving the public education system, especially the high schools, because we are heading towards the situation where we will have the worst staff ratios in the country. What we are seeing here is not the best outcome for schools.

I am open to having a discussion. I have said to Mr Barr on a number of occasions that I would like to be part of the solution to making the government education system in this town a great education system. I appreciate that this minister feels the need to do something. My great concern in this debate is that this something is the wrong something. This something will be the death knell of the government education system because anyone who wants stability in the next three or four years is going to abandon the government education system. They are going to seek security and nurture and succour in the non-government education system. All the great rhetoric that this man has come up with in the last few weeks will be for nought. If we persist with these schemes, he will be the butcher of the government education system in this town.

**MR SMYTH** (Brindabella) (4.56): In 1939, Mr Chamberlain said, "There will be peace in our time," and the world believed him not. When Jon Stanhope, the Chief Minister, says, "There is no crisis," Canberra believes him not. If there is no crisis, why is the government cutting 500 jobs from the ACT public service? If there is no crisis, why is the government closing 39 schools? If there is no crisis, why won't the government undertake adequate consultation? If there is no crisis, why is the government slashing \$5 million from the business budget? If there is no crisis, why is the government shutting down the knowledge fund?

If there is no crisis, why is the government ripping \$4½ million out of tourism? If there is no crisis, why is the government reducing road expenditure? If there is no crisis, why is the government not employing police officers at the national average? If there is no crisis, why is the government adding the burden of an additional \$63 million in taxes and rate increases onto the people of the ACT? If there is no crisis, why is the government increasing traffic infringement fines by 34 per cent? If there is no crisis, why is the government shutting down the ACTC? If there is no crisis, why is the government dragging the Emergency Services Authority back into the government? If there is no crisis, why is the government getting rid of the ACTION Authority?

If there is no crisis, why is the government shutting down the ICRC and dragging its functions back into a department? If there is no crisis, why is the government putting up fees and charges? If there is no crisis, why is Jon Stanhope using Jon Stanhope modified GFS reporting? If there is no crisis, why is the water abstraction charge going up by 107 per cent? If there is no crisis, why is the government putting up fees by a total of 21 per cent? If there is no crisis, why is this government abandoning its white paper and its Canberra plan? It is because they have failed and this government has failed. Tuesday's budget is recognition of that.

The list goes on. I have pages of examples. I could keep going. I could commence with the words “if there is no crisis” for the next 12½ minutes, but I will not, because the people outside know that there is a crisis. There is a crisis in leadership, there is a crisis in the strategic direction of this government and there is a crisis in the ability of our Chief Minister to be Treasurer. It has been only through the ineptitude and budget mismanagement of Jon Stanhope and his ministers that we have been brought to this position. Public servants, community groups, ordinary Canberrans and businesspeople will now pay a price for this ineptitude and mismanagement through higher charges, reduced services, job cuts and opportunities lost.

It is great that the Chief Minister and Treasurer has come to join us, Mr Temporary Deputy Speaker Gentleman, because now I can look him in the eye and tell him exactly that, through you. What we have, quite simply, is the lack of a coherent strategy from this government. What does the first budget delivered by Treasurer Stanhope tell us? It tells us quite simply that the Stanhope government has no economic strategy, has no coherent fiscal policy and has no strategy for community consultation. As the Chief Minister says when he says that there is no crisis, this is all occurring at a time when the ACT economy is officially booming. They say, “Count the cranes on the skyline.” All that counting the cranes on the skyline does is magnify the ineptitude and incompetence of Jon Stanhope.

If the Chief Minister continues to say that there is no crisis, why is all of this happening? If there is no crisis, why does he refuse to release information that has a major impact on the ACT community in the form of the Costello functional review of the ACT governance arrangements? I will tell you why he will not release it. It is because he is embarrassed by it, as it points out the level of ineptitude and mismanagement that Jon Stanhope has wrought upon the people of the ACT.

We see in this budget nothing but errors. You have only to look at the quality of the documents where the numbers do not add up. Indeed, this morning’s *Canberra Times* quite rightly pointed out that if you add up the numbers that are listed in the various pages of the *Canberra Times*—unfortunately, the *Canberra Times* missed the Rhodium figures, so its figures are slightly out—for what has been published you will see an increase of 499 in the number of public servants through this budget.

This Treasurer cannot even tell the difference between negative and minus. When you take the smaller number from the bigger number, Jon, it means that you have more, and that is what you have got by the numbers in your documents, 499 extra public servants. There is confusion because the health budget loses 82 public servants, but not according to the minister, who says, “We have programs that will give us more public servants. Nobody has been cut. If there were to be cuts, they would be coming from the non-service end, but we are not sure.” The problem with this budget is that nobody is sure why this is happening, nobody is sure why this has been wrought on us, except for the fact that the ineptitude and budget mismanagement of Jon Stanhope and his ministers have brought us to this position.

How do we fix it? When you are in a position like this you have to look at whom you can tax, what you can tax, which services you can cut and which services you have to increase. What we have had done is we have just had the entire forest clear-felled in this

case. What they have done is they have said, "Let's just throw taxes on. Let's make everybody pay a burden for our ineptitude." That is what they are doing. Jon Stanhope will reach into the pocket of every taxpayer in the ACT and lift several hundred dollars in the coming year because of his ineptitude. But what he will do will not fix the problem, because the budget has gone up. The budget has gone up by about \$80 million.

We have this crisis whereby we are spending too much money. He tells us that we are spending too much money, that we spent 20 per cent above the national average, but this budget employs, according to the figures, 500 more public servants and spends an estimated \$80 million more than last year. We are actually employing more and spending more, and that is Jon Stanhope's idea of reining in the budget and getting things back under control. That does not add up. It does not add up in health, in aged care and in the tourism and business programs that have been cut.

In the health budget the community is being subjected to Jon Stanhope's smoke and mirrors approach to health funding. The government says that health funding has been increased by \$41 million. Sorry, the Chief Minister says that health funding has been increased by \$41 million. In fact, as you pointed out yesterday, Mr Temporary Deputy Speaker Gentleman, because you can do the maths, it has actually gone up by \$61 million, by the numbers in the budget. Whose answer is right? Is it the Treasurer's answer or Katy Gallagher's answer? They are both right. So, under the new maths, 41 equals 61. That is how fiscal problems are solved in the ACT under Jon Stanhope. All numbers equal the other. There is no problem; therefore, there is no crisis. It might be that Ms Gallagher was moved from the education ministry because she cannot do new maths, but you can, Mr Temporary Deputy Speaker.

We have increases of \$22 million or \$23 million in initiatives, but we also have a transfer of costs. When I asked the minister yesterday what was the value of those costs, she could not tell me. We can see that they have to spend \$16 million more on superannuation, and \$6 million more is being spent on health insurance. There is an amount of \$11 million for what appears to be lost revenue, so that has to be covered. There is at least \$3 million in additional wage costs. The Chief Minister says that the budget has gone up by \$41 million. I can account for \$36 million of that \$41 million that is the result of things that have to be funded but do not actually deliver one single extra service of care in the ACT. How the \$5 million covers \$23 million worth of new initiatives is beyond me. The numbers in the budget just do not add up and the ministers just do not have answers.

According to my maths, there has been a real increase of either \$5 million or perhaps \$25 million. Either way, it will not fund what we need, and we have still got the processes wrong. We have still got a system that is overly bureaucratic and not patient focused, and that is the problem. The answer under Jon Stanhope has always been "I've got bucketloads of money; if I throw enough money around it will fix the problem". It does not work that way, and that is why we have a problem today. The ineptitude and the budget mismanagement of that approach have landed Canberrans in the trouble that they are in today.

Let's look at some of the health indicators in budget paper No 4. They show an alarming picture for the future of health in the financial year 2006-07. For acute services, there is an estimated increase of only 2,000 separations, whereas there was an increase of more

than 5,600 separations in 2005-06. There is your answer: there is no crisis, but we are going to ration health. We have had almost 6,000 extra services provided in the current year, but next year there will be only 2,000. We are just going to cut them back.

In mental health services, there has been a reduction in separations from 1,250 to 1,200 but only minimal increases in community-based services to take up that slack. In community health services, there has been no growth in delivery of the major services, but we are going to charge anybody that we can more to cover the ineptitude and mismanagement of Jon Stanhope. In cancer services, to the government's credit, we are finally getting another lineal accelerator, and a third one is to come, but there has been minimal growth in the number of separations for both admitted patients and non-admitted occasions of service, which clearly indicates that this government expects to continue to send cancer sufferers and their families interstate, because it has not focused on what people need.

If we look at, for instance, early intervention and prevention, there has been absolutely no increase in the estimated numbers of breast screening occasions of service, which again shows that the money being put into cancer is not going to where it is really needed. Let's get into prevention; let's stop cancer before it affects people in the way it does. I remind members that the number of screenings is only two-thirds of what the previous government did five years ago, two-thirds of what happened five years ago. That is an appalling situation.

What about the overall cost of the health budget and how is the government going to explain where these cuts are coming from? Over the last three or four years health expenditure has increased by 12 per cent a year. The CPI for health is about seven per cent. This government is going to increase it by only nine per cent. So what are the three per cent of services that are going to be cut out: \$700 million at three per cent, \$21 million of savings? Where are they to come from? There have been no answers from the government because they have no idea. This is a "we are going to ration health services" budget. What about the reduction in staff? BP4 shows a reduction of only two. The minister has denied that. Who is right? Quite frankly, if they have counted the savings and they are buying more staff, again the budget will be blown before we start.

Let us look at aged care. Minimal attention is given in this budget to aged care, to the needs of those in our increasing cohort of older people. There have been token increases in funding for support for the frail aged, but the Stanhope government do not appreciate the urgent need to get more residential and nursing home facilities built in the territory. What is their answer to that? They are going to increase application fees for development. I am sure that Mr Seselja will have a few words to say about that. Even if land is available, it will still be many years before facilities are opened. You only have to look at the Calvary experience of inordinate delays to learn that lesson.

Let us look at tourism. If you are strapped for cash, you have two options. You expand your base so that you have more people to tax, so you spread the burden, or you just drop it all on top of innocent civilians out there, innocent constituents who have done the right thing. The government has taken the easy option of just pouring the burden of increased taxes, fees and charges onto ordinary Canberrans. Has the government used the five years that they have had and the \$900 million of cash above expectation and \$250 million of surpluses above expectation to build infrastructure, to create a future, if

necessary to buy a future, to build a future, to leave a legacy? No. Leaving a legacy would require a vision and there is no vision with this crowd. As has been pointed out by the Leader of the Opposition and the shadow Treasurer, they have simply squandered any opportunity. You fix a leaky roof in the good times. You do not fix a leaky roof when rain is bucketing down and coming into the lounge room. It is too late then and it costs you too much. But that is the Jon Stanhope approach. They have had five years of sunshine, they have basked in the sunshine, they have looked at the holes in the roof, it has started to rain and he has gone, "Oh, goodness me, there is a hole in the roof. I didn't notice that. I am alarmed because I was not alert." No, Jon Stanhope has never been accused of being alert.

So what do you do? You increase assistance to business and tourism. It is not business welfare. It is buying a future. It is creating opportunities, it is creating employment and it is increasing your revenue base. But what is the easiest lever there to pull? The easiest lever is, of course, tourism. What has happened to tourism? Its funding has been slashed by \$4.5 million over two years. At a time when the Northern Territory, the federal government and the Victorian government, just about any government you care to look at, have increased their tourism budgets because they understand how important it is we have cut ours. That is a strategy. We are going to fool them. We are actually going to wind back our tourism budget so that everybody is going to look at us and say, "Gee, they are winding it back. It must be a good thing if they are winding it back. Maybe we will do that in our budget next year." No. They are all looking at us and laughing because they are going to take our conventions, they are going to take our business tourism, they are going to take our families, friends and relatives and they are going to take our international visitors because we do not want them. The signs are up: "Canberra is closed. Don't bother coming. You can't find us."

We have done the same in business. The \$5 million knowledge fund is all gone. There is a part of me that says that this is an anti Ted Quinlan budget, that we are going to get rid of every vestige of Ted Quinlan. Let's see: the Brindabella Classic is gone; the knowledge fund is gone; the small business commissioner is gone; the HHS standards are gone. I think it is an attack on Ted Quinlan. This is envy.

In conclusion, what can I say? We have a government without vision, a government without passion, a government without compassion and a government that has failed the ACT community through its ineptitude and through its mismanagement.

**MR TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Order! The member's time has expired.

**MR PRATT** (Brindabella) (5.11): The 2006-07 budget handed down by this government this week is horrendous. Jon Stanhope, the new Treasurer, has managed to keep the ACT in an estimated surplus position of around \$120.5 million, but that has not been achieved in sensible ways. Really, under Australian accounting standards, we actually have a deficit of \$16.4 million for 2006-07 and, under government finance statistics, GFS, measures, we have a deficit of \$80.3 million. That is not a surplus at all.

We see in this budget severe cuts to areas of essential services, schools, jobs, municipal services and roads, while still seeing massive wasteful expenditure on ideological pet projects. This government has again got its priorities all wrong by increasing spending



on luxuries during lean times and cutting it on essentials during lean times. That just does not make sense. The just-released Institute of Public Affairs report *Opportunity squandered* of Dr Mike Nahan shows that the ACT has allowed spending on public sector wages to get out of control, spending on higher wages rather than greater employee numbers, by not seeking higher productivity outcomes in line with the higher spending.

The most revealing thing was that Dr Nahan was stunned—I emphasise the word “stunned”—by the fact that the ACT government regularly reported deficits of \$400 million under the international accounting standards because under those rules they are required to ignore income from land sales and capital gains. What we have here is a government which continually ignores international accounting standards in order to make its budgets look better than they actually are, while blaming the narrow revenue base in the ACT as an excuse for their repetitive budget mismanagement.

I will focus now on a number of my portfolio areas. The first is police. I welcome the addition of 60 police under the 2006-07 budget, because something is better than nothing. But I have serious concerns that this increase falls well short of the numbers required to meet minimum police strengths in the ACT under the national benchmark. ACT Policing needs, as a minimum, an expansion of the existing front-line police strength in the order of 110 to 120 sworn police to bring us into line with the national average. Commissioner Keelty has stated that, as has the AFPA. This expansion needs to occur within two years, no later, given the parlous state of any police presence in our community and the impunity with which young offenders particularly and others carry out crime and harass our community.

It is indeed questionable how much more impact the 60 additional police will make, given the significant attrition rate of ACT Policing and the increasing use of funds to purchase additional overtime to plug gaps left by declining police strengths. Therefore, it is also questionable whether the existing police budget is able to maintain replacements or is being misspent on reactionary overtime expenditure.

Let me illustrate. In the most recent, 2004-05, ACT Policing annual report and in annual report hearings last November it was discerned that ACT Policing’s strength had declined by 35 FTE police on the previous year, sworn and unsworn. In estimates hearings last year, despite the bull the then police minister, John Hargreaves, attempted to spin, we discovered that the number of sworn police officers had declined by 29, from 600 to 571, in the space of one year, and had declined by 25 overall from the 597 sworn officers in 2000-01, the year that Mr Hargreaves and Labor promised to increase police numbers by 120 to the national average.

From the government’s own figures—I refer to fact sheet No 11 for the 2006-07 budget—we now know that seven police were added by this government in 2002-03, 10 in 2004-05 and a further 10 in 2005-06, presumably sworn and unsworn, a total of 27 additional police. On my reckoning, therefore, that means that even with the additional 27 police to date, we are still in decline from the 2000-01 police strength—fantastic!—with a net loss of five police per year over five years of Labor government.

With the 80 additional police to come over the next three years on top of the 27 I have just mentioned—the 80 police that the government claims it is going to add—we will fall

in accumulated numbers by at least 40 police short of the strength in 2008-09 to meet the national average. We will fall at least 40 police short, because we must also consider attrition over the next three years, something which the AFPA and I have no confidence that this government will plug. The attrition rate on top of the figures that we have calculated will mean that we are going to be nowhere near meeting the national average benchmark standard by 2008-09.

It appears that the Stanhope government have finally caved in to pressure in terms of at least the welcome 60 additional police. They have caved in to pressure from this opposition on additional police numbers and they have also, of course, caved in to pressure from the AFPA and, I would presume, Mr Keelty. But all of this will go to hell and back in a basket if this government does not tighten up the police agreement. It is no good getting additional police, wasting your money buying police, if you do not have the agreement reformed so as to allow you to ensure that those additional police are tasked in the way that they should be tasked and you can account for them.

I turn to the ESA. The transfer of the ESA to JACS is a complete travesty. It goes completely against commonsense, the McLeod report and the Auditor-General's report of May 2003. This government spent millions of dollars, money it has just chucked down the drain, on establishing the ESA as a separate agency. It is now going to throw away all that investment by transferring the ESA back into a public service management arrangement. More to the point, that will not address the serious questions about the ESA's financial and project management administration, particularly of new communications and capital expenditure indicating serious waste.

I will have a lot more to say later about the transfer of the ESA to JACS, but for now let us just say that this transfer will cost more than simply dollars. It will come at the serious expense of this community's safety. What the government expects to save on transferring the department to the administrative controls of JACS it will lose on the ability of the ESA to act as an autonomous, responsive emergency agency and will seriously hamper the ability of the ESA to respond independently to issues of community safety.

Let us look at other priorities within the ESA. This government has failed in the 2006-07 budget to provide urgent funding for programs such as the stalled community fire units program. While there is some funding in this budget for front-line equipment, there certainly is a huge lack of commitment to what is really needed to ensure the ESA and the emergency services in general are able to function to full capacity without bureaucratic hindrance.

I turn to roads. As anticipated, we have a \$412 million blow-out for the GDE, the fourth blow-out that I have counted in four years, which must now further starve the funding of routine maintenance and upgrades. It will suck money away from other essential roads.

**Mr Smyth:** On time and on budget!

**MR PRATT:** That is right, Mr Smyth. There is a distinct lack of funding for other major road upgrades and maintenance. There is no funding for much-needed road duplication, such as of Tharwa Drive, which the community has been pleading for. The cost blow-outs due to this government's procrastination and mismanagement have totally drained

the ACT's coffers of funds for other roads. The GDE farce has been a classic example of the government's failure to manage any sizeable projects.

How about the five-year funding plan for roads? We have been looking for the new five-year capital works plan for roads that is so desperately needed to continue ongoing works. This is another classic example of the failure of the Stanhope government to bank revenues in the good times to ensure funding for routine infrastructure maintenance and modest upgrades. They have been blinded by white elephant project spending; that is why.

In many suburbs of this city drainage, footpaths, lighting, et cetera are fast reaching their end of life but, again, minimal funds have been banked from the best ever revenue windfalls to fund ongoing maintenance and replacement. There is a major question over the ability of this government and this community to make sure that those long outstanding maintenance issues with infrastructure can be met.

I turn to front-line capability. In the Department of Territory and Municipal Services we will see the continued erosion of front-line staff. There are going to be sweeping job cuts throughout the public sector. I hope that it will not occur, but it is quite likely that the department will suffer front-line position losses which will translate to a decrease in services essential to the community. We cannot afford to cut front-line position in territory and municipal services. As it is, our rangers do not have the resources to catch graffiti vandals; hence, the ongoing need to foot expensive cleaning bills. This is a false economy that is driven, I guess, by an ideological fear of arresting young offenders, not to mention a reduction in staff numbers in the department.

The dedication of \$500,000 to the restoration of 40 hectares of drought-affected ovals in the ACT is welcome and commendable, but this amount will in no way go to restoring all the ovals that this government let go to ruin because they failed to implement the water saving irrigation systems that were recommended to them in the early days of the drought. I look forward to hearing whether the government have a recycling program that they might implement with grey water and other resources to supplement expenditure that they are now providing for in the budget to address the ovals problem. This is another case of the government's waste and mismanagement.

There is no mention of shopping centre upgrades that I can see in any of the programs in this budget. That is ridiculous as we know that there are many urban shopping centres which are badly crying out for upgrades. If the government cannot invest in the presentation of these local shopping centres, they will continue to be a haven for vandals. If the government cannot respect and attempt to present well-turned-out urban infrastructure, how does the government expect others to respect and care for these places?

The introduction of pay parking at our hospitals after 1 July is an abomination. Although a range of exemptions have been announced, some categories of people, such as medical students, will be unfairly targeted.

Let's look at my own area, Brindabella. Indiscriminate school closures will add to the financial and emotional burden of many families in Brindabella. Communities will suffer from a lack of cohesiveness and the sense of community will diminish over time as

families send their children to schools out of the area and private schools. Families will have to wear additional costs for new uniforms and for transporting their kids to the next suburban school by public transport or, if no buses are available, by car.

Add to that the increase in rates and land taxes, not to mention water, and this budget will tip many Brindabella families over the edge and see them moving to south-west Sydney to make way for the new recruits that have been falsely lured by a costly sugar-coated campaign by the Labor government. It seems like the ten-pound-pom exercise of the 1950s all over again. Get them here at all cost. When they get here, there is nothing for them.

The lack of appropriate infrastructure, stalled road upgrades, a medical centre for Lanyon, shopping centre upgrades and security, and a lessened police presence are and have been issues in Tuggeranong long before the budget was handed down. Where the hell has the money gone?

In conclusion, the opposition will have a lot more to say about this tragic budget in later debates, but for now it should be put on the record that the Stanhope government have severely let down the people of Canberra with their 2006-07 budget. The Stanhope government have targeted the ACT community extremely unfairly in order to pay for the government's propensity over six years to waste money on unnecessary projects to glorify their Chief Minister.

**MR SESELJA** (Molonglo) (5.25): It has been a bad week for the Chief Minister but a much worse week for Canberrans in general. This is the worst budget in the history of self-government, no doubt about it. It is the budget where the people of Canberra pay the price for the ineptitude of the Stanhope Labor government.

**Mr Pratt:** It keeps getting worse, though.

**MR SESELJA:** It does keep getting worse. The Chief Minister has said, "We live beyond our means, we oversupply all areas, we do not tax enough." The reality is that it is this government that has been living beyond its means and Canberrans are now going to pay for it.

The budget for the ACT is a milestone, according to the Chief Minister, one where the government has made the first serious steps in forcing the ACT to live within its means. Why has it done this? Because, under this government, we have seen some of the most wasteful spending and ludicrous initiatives in the history of self-government. I do not have time here to list them all, but I will list a number of wasteful exercises.

We have spent around \$6 million on planning for a busway that will never go ahead; \$5 million for a community inclusion board to tell the government how to listen to the community; \$7.3 million for the arboretum—that is one special tree park; \$6 million spent on a real-time bus information system; \$4 million spent on marketing at the LDA; and \$128 million for a prison. Millions of dollars have been spent in recent years on on-road cycle lanes that no-one uses, and the list goes on. It is not Canberrans who have been living beyond their means; it is this government. There has been wasteful spending and inadequate management of priorities.

This budget, as a result of the poor financial management of the Labor government, has failed to provide for the critical infrastructure needs of the ACT. Perhaps the Chief Minister is confusing infrastructure priorities with legacy shopping. The government needs to distinguish between wants and needs. Do we need a busway? Did we need to spend the millions planning for a busway that was not going to happen, or did Simon Corbell simply want it? Do we need an arboretum, or does the Chief Minister want it? Do we need a prison, or does this Labor government want it?

The infrastructure plans of the Labor government in this budget include \$800,000 for ovals in Harrison. That is quite welcome, but the question is: will they be allowed to die, come the next drought? There is \$1.9 million for additional parking at the Canberra Hospital, and \$90 million in school refurbishments. We cannot help wonder: there will be \$90 million in school refurbishments but how much lost infrastructure will there be as a result of the closures of 39 schools in the ACT?

There is no sign in these boom times—with this \$900 million of windfall revenue that we have had in the past few years—of some of the critical infrastructure needs being addressed. We have seen no sign of a health centre or police station in Gungahlin. The Gungahlin Drive extension is now finally getting going but, in the end, it is going to be a one-lane road. This is in the boom times. And we have seen no plan for critical infrastructure for the territory, no plan for the future of our roads infrastructure; so it will be the people of the territory who suffer in the long term.

Infrastructure is crucial to the future of Canberra, and this Labor government has not provided that in the good times. During strong revenue periods with surpluses created by previous governments, with a booming national economy and with ever-increasing windfalls from the GST, the government should have invested in the resources and facilities to be used by Canberrans in the future. This government has failed to do this. Instead of wasting millions, the government should have been investing in this critical infrastructure for the future.

The issue of school closures is one of the biggest things to come out of this budget. It can be summarised as follows: this budget is where the lie of the last election in relation to schools is going to be put in place. This government went to the last election and gained a majority on the back of a number of its promises. One of its promises, that came from the education minister at the time, was that no schools would close. Eighteen months later, 39 schools are to close. That is a disgrace.

**Mr Mulcahy:** She runs from the job.

**MR SESELJA:** Yes, she has left it to someone else. Poor old Mr Barr has to pick up the baton and run with the 39 school closures, when we were told 18 months ago none of this would happen. Look at some of the closures in my electorate. Look at the closure of Rivett primary school. This is one of the most disadvantaged areas in Canberra—parts of Rivett—and yet we are going to be closing the local school.

Many of the people of Rivett—most of them, about half of them I think—voted for the Labor Party at the last election. Partly they voted on the basis of the lie that their school would not close—that they could trust the Stanhope government not to close their

schools. This budget delivers the school closures that the Labor Party promised would not happen at the last election.

We had an interesting debate yesterday. We had the former education minister say, in relation to consultation on school closures, “Mrs Dunne wants to slow the process down; Mrs Dunne does not want to get on with the job.” The question is: What does this government want to do? This government wants to slash and burn. It does not want to have to consult. It has announced its 39 school closures in this budget and we are going to see those 39 schools closed. We will see token consultation but, in the end, we will see that the Labor Party will confirm that what they took to the people at the last election was a lie. In relation to education, it was simply not true. They deceived the people of Canberra in a massive way. That is why there will be a massive backlash, especially in relation to school closures—because the people have been deceived.

We have also heard the new minister talk about, in relation to school closures, what will be done with the proceeds if they then go and sell some of the land. When he was asked, “Minister, will you comply with the provision of the Labor platform which says that proceeds from school assets sold should be retained by the education system?” the minister responded, “I believe that to be a very sound principle. Yes, we would comply with that.”

We have it on the record that, in the midst of all these closures, we are not going to see any savings in the education budget. They are going to put the people of Canberra through the angst of closing 40 schools, but they are not going to save any money. That is one of the biggest failures of this budget and of this government.

I turn now to the public service. From 2001 to 2005 we have seen an increase of around 16 per cent in the number of employees in the public service, with an extra 2,346 employees joining the service. What was the reaction of the Chief Minister upon learning of the increases? He was surprised. He was shocked. He had no idea things were so far out of control. The total lack of understanding and ignorance of the condition of the single biggest cost of the entire government, its wages, by the Chief Minister is nothing short of disgraceful. And now we are going to see another 500 public servants cut.

The question is, why did we allow it to blow out in the first place. We had to go through the wasting of public money. We had \$445 million of the \$900 million windfall spent on public service wages. Now we are going to rein it in and sack lots of people. Lots of public servants will be sacked. Of course there are all the costs associated with hiring them, and then big redundancies. This is an inept way of managing the public sector. Once again, it is the people of Canberra who are going to pay, and it is individual public servants who are going to pay for the loss of their jobs and their livelihoods.

I turn now to planning. I want to comment on the state of the planning system in the ACT and how this budget is not going to help it but is going to make it worse. Minister Corbell should be concerned. We have seen the debacle of his plan for the busway, and we had to have some comment.

Apart from a little bit of a carryover to spend more money on planning for a busway that is not going to happen, in this budget there is no money for the building of a busway, and we know it is not going to happen. Mr Hargreaves has told us it is not going to happen.

He said not in his lifetime. I expect Mr Hargreaves will live a long and healthy life. Maybe in his nineties he will die. So we have about 40 years before this busway might be built. It is not going to happen, but millions of dollars have been wasted. We had the busway, and the planning minister could not get it done.

We had the planning system reform process, which was meant to deliver us a piece of draft legislation, first in February and then in March, and now I do not know when it is going to happen. We have spent the money and it has not been delivered, so we have doubled the funding for next year. I think it is about \$595,000 for the planning system reform process. We spent all this money and all we got were some glossy brochures. We did not produce the legislation, so we are going to double it and, hopefully, something will be produced in the next financial year.

Can I tell you that industry is crying out for reform of the planning system? Yes, planning system reform is a good idea, but we have not seen much of it yet. All we have seen are a few glossy brochures. We have seen a few hundred thousand dollars spent. We have not seen the targets that were set delivered and now we have seen the funding doubled. We very much hope, and I am sure industry very much hopes, that we will see something for that \$600,000 spending.

We have seen the changes in relation to the way planning is done in this budget. ACTPLA no longer has control of land management function and land policy. What does that mean? That essentially means that the ACTPLA that Simon Corbell created and the planning reforms that he put in place a few years ago are slowly starting to unravel. The experiment that Mr Corbell put in place is unravelling.

The government abolished the LAPACs when they came in. They promised to replace them but did not. The planning and land council has been abolished in this budget. So we are seeing the unwinding of this planning minister's reforms. Can I say it is about time we started to see them unwind? I will get to the LDA in a minute, but I think we want to see some more movement on the LDA. We have all seen some token changes in this budget.

Who would want to build a home in the ACT at the moment? Under this budget we have development application costs going from \$569 to \$1,085—doubling. Who is going to pay for that? First home buyers. It is first home buyers who will pay the price for this. It is another example of how the people of Canberra, not this government, will continue to pay for this government's economic mismanagement over the past few years.

Just before I turn away from planning, we had a statement on the LDA in the Chief Minister's budget address. That was in relation to how cabinet is going to consider a set amount of land to go to market. I think that was the first sign that the LDA's monopoly on land release is going to end. I can only hope that that is the case. If I have misread that, then I am disappointed.

I hope that that is the first sign from this government that they are going to reform the LDA and that it will not continue to have this conflict of interest, being the monopoly land supplier as well as a significant developer in this town. It is an area where industry has significant concerns and it is an area where the opposition has serious concerns. I hope that is the first signal from this Chief Minister or Treasurer that this will change and

that we will see a more efficient and more effective LDA in the future, free of conflict of interest, that will free up the development industry to get on with doing what it does best.

Prior to the 2001 election the Labor opposition said that, under a Labor government, the budget process would be rigorous, open and measured and include community debate. It said that it would not hide behind the cloak of confidentiality. How things have changed from those heady days of 2001. We have had from this government the most secretive budget process in the history of self-government. We have a secret functional review that no-one is allowed to see; not even most of the public service is allowed to see it.

This government has failed to live by the standards it set when it was in opposition and this budget is a clear example of how it has done that. The end result of this budget, the end result of this economic mismanagement, is that families will pay, students will pay, teachers will pay, first home buyers will pay, public servants will pay, industry will pay and Canberra as a whole, the Canberra community, will pay the price of this budget. We certainly hope and trust that in 2008 this government will pay for this budget.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Arts, Acting Minister for the Territory and Municipal Services and Acting Minister for Multicultural Affairs) (5.40), in reply: I certainly thank members for their contributions to the debate. Of course, one needs to acknowledge, in the interests of openness and honesty, that it was an incredibly pathetic effort by the opposition, but one thanks them for their interest and for their contributions.

In thanking the opposition for their interest in the budget, one must pass some comment on the leading response, the leading reply, provided by the Leader of the Opposition, Mr Bill Stefaniak, the new leader of the Liberal Party. This is a brand new leader, flushed with success, who has been in the job for less than three minutes, presenting his first major speech as the head of the alternative government. It was a 40-minute effort—not bad.

What did Mr Stefaniak talk about in his statement of vision and position in his response to the issues faced in the territory in that 40-minute presentation by a brand new leader, full of energy and with a new vision and a new mandate from his party to take his party to government at the next election? What was the vision presented in the leading, the hallmark, the benchmark, speech by the Liberal Party in this place in response to the budget? It is a detailed budget. The budget papers have been out there for them, full of this government's ideas and vision for the future and our commitment to Canberra.

What did Mr Stefaniak, the Leader of the Liberal Party, dwell on? He dwelt almost exclusively—but no surprise to anybody—on the impacts of the budget on business. If it was not about the impacts of the budget on business, it was about the impacts of the budget on tourism. It was about a rusted-on Liberal constituency. To the extent he talked about revenue and rates, he talked about the extent of revenue measures on business. This was the focus of the contribution by the leader of the Liberal Party. It was essentially an attempt at an analysis of initiatives within the budget focused almost exclusively around the impact of the budget on business and tourism, and the impact of revenue measures on business.



It would be interesting, and we will do it just out of passing interest when the *Hansard* is distributed, to assess—and I think *Hansard* records these matters—the length of time devoted by the Leader of the Opposition, let us say, to health, which is the single most important item within the budget, the largest spend, of over three-quarters of a billion dollars. The amount of \$751 million is sought to be appropriated for the delivery of health. By our reckoning, the Leader of the Opposition, on the most significant issue of concern to the people of Canberra, to which this government proposes to devote \$750 million, occupied, we believe, one minute and 15 seconds of his time.

One minute and 15 seconds was devoted by the Liberal Party's new leader to a discussion on the appropriation bill in relation to \$750 million worth of spend on health. The single biggest spend, the single most important item of expenditure, the single most important area of policy and government service delivery, is worth a minute.

We move then to an analysis—and the *Hansard* of course will reveal this as well—of the efforts devoted to the Liberal Party's vision for education. It is the second largest area of anticipated expenditure—over \$700 million in its own right. What was the vision presented by the Liberal Party for the government's school sector within the territory? What did the leader of the Liberal Party have to say about education? What was his answer to the issues facing the territory in the delivery of first-class education to the children of the ACT? What were his proposals for assuring those children that attend government schools and depend on government? What was the vision presented?

One of the two pages was devoted to the listing of the names of schools. Where was the vision about the reform and the way to take forward an education system desperately in need of vision and leadership? There was none, because there is none. That is the point, and that is the difference.

In five years, but for a little spurt prior to the last election, this opposition, that has now been in opposition for five years, has presented no alternative view, vision, plan or proposal—absolutely none. It is an opposition devoid of leadership. It is rudderless. We have just got a new leader, of course, but it is a leadership—

**Mr Mulcahy:** You are not too happy across there with the public service.

**MR STANHOPE:** Dream on Mr Mulcahy, dream on.

*Opposition members interjecting—*

**MR STANHOPE:** It is a leadership with no vision and, I guess perhaps most worryingly, absolutely no capacity. The record will show this, but I have no doubt that the reports—at least I hope they are—of the Leader of the Opposition's reply are detailed. Perhaps it would be instructive if the *Canberra Times*—and I must say I hope they do—publish as much as they can of the Leader of the Opposition's speech for the people of Canberra to see what the alternative government believes are the answers to the issues which the territory faces across the spectrum of government service delivery that would be educative.

Perhaps the government might even think of what it can do to assist—now there is an idea—in the context of the opposition’s interest in communicating with the public. Maybe the government could assist in the distribution of the Leader of the Opposition’s speech to every household in Canberra. That is not a bad idea. I might just dwell on that. We might, in the interests of even-handedness, distribute the Leader of the Opposition’s speech to every household. We might even take full-page ads in the *Canberra Times*. This is the alternative. This is what you could have.

**Mr Mulcahy:** We will be happy to take up your offer.

**MR STANHOPE:** That may be. This is what the Liberal Party offers. This is the new leader, and he is better than the old one. Just imagine what the old one would have said to you.

This is a tough budget. This is a good budget. It is a budget that will stand the territory in very good stead over the next and coming decades. There is no doubt about that. It is a budget in which the government has grasped the nettle and dealt with the hard issues unflinchingly. We have shown a degree of dedication to structural and budgetary reform, the like of which no other government has ever had the fortitude or, it has to be said, the guts to attempt.

Other governments have never had the fortitude to believe that they can carry it through; never had the spine to acknowledge that it is going to be tough going and that there is going to be significant political response and reaction. We are nevertheless determined that it is the right approach, the proper and responsible thing to do, and face up to the challenges that we know are part and parcel of the inevitable community response to a budget of the sort we have bought down.

We have bought it down because of history, because of the way in which successive governments since 1989—and, it has to be said, prior to that with the legacy inherited from the commonwealth—have governed and the way we have faced and sought to deal with the issues which we, as a community, need to deal with, in the context of the expectations of this community around service delivery and what we have sought and been able to deliver. It has to be said—and it is probably a waste of time in this particular context at this stage of the debate—that these issues were not issues of this government’s making, at least not exclusively.

**Mrs Dunne:** I just frittered away \$900 million. Somebody made me do it; it wasn’t my fault.

**MR STANHOPE:** I will just respond to that.

*Opposition members interjecting—*

**MR SPEAKER:** Order!

**MR STANHOPE:** This government did not create a \$1.2 billion unfunded superannuation liability. Who created the \$1.2 billion unfunded superannuation liability? This government did not, but we have dealt with it.

**Mrs Dunne:** You could have paid for it out of the GST windfalls—\$900 million, \$1.2 billion.

**MR STANHOPE:** Mrs Dunne says we could have paid for it out of the GST. The Liberal Party believe that in relation to the \$900 million GST so-called windfall because the Liberal Party would not have funded any additional childcare workers. It is only this government that in successive years has had the will, the compassion and the determination to deal with issues of child abuse, to the extent that we have funded child protection services to the tune of a 90 per cent increase a year.

The Liberal Party would have used that money, which they claim we wasted, by not expending the 16 per cent a year on disability services that we have spent every year since coming to government as a result of the royal commission headed by Justice Gallop. It was the result of the lack of service delivery by the Liberal Party in relation to disability services.

That is 16 per cent a year on disability services, implementing the recommendations of Justice Gallop's royal commission into the failings of the Liberal Party; 16 per cent a year on disability services, a result of a lack of action and care by the Liberal Party; 90 per cent a year in relation to child protection, as a result of an absolute lack of concern for child abuse by the Liberal Party; a 46 per cent increase in emergency services, which says a lot about the Liberal Party; an increase in health expenditure—and I laid down this challenge before the Leader of the Opposition's reply today—from the \$415 million in the Liberal Party's last budget five years ago, to \$750 million.

I asked the Leader of the Opposition to indicate which parts of that additional \$300 million annual recurrent expenditure in health the Liberal Party would not have spent. Of six in a row, not a single one of you responded to that challenge. Not one of you said what you would not have done. Here we have Mrs Dunne railing about our expenditure and crying crocodile tears, as she does about things like child abuse, not acknowledging once that the increase in child protection workers from 40 to 120 was a reasonable thing for this government to do.

Do you include the additional 80 child protection workers in your description of a fat, bloated, overpaid public service? Are these the public servants that you would not have employed? Are these the overpaid, unrequired, unnecessary public servants? Are the dozens of additional firefighters that we have employed overpaid and unnecessary? Do you include the additional 120 police—

**Mr Pratt:** We told you that the police—

**MR STANHOPE:** we have employed in your list of overpaid, unnecessary public servants?

**Mr Pratt:** Oh, really!

**MR SPEAKER:** I warn you, Mr Pratt!

**MR STANHOPE:** Do you include the 120 additional police that we have agreed to fund and employ as overpaid, unnecessary public servants, as Mrs Dunne includes the 80 child protection workers, the additional firefighters, the additional teachers, nurses and doctors as overpaid and unnecessary? Which ones are overpaid, and which ones are unnecessary? Why didn't you explain?

*Opposition members interjecting—*

**MR SPEAKER:** Order! Just sit down for a minute, Chief Minister. Mr Seselja, Mrs Dunne, everybody: the Chief Minister has the floor. You are on a warning, Mr Pratt.

**Mr Pratt:** Thank you, Mr Speaker, for clarifying that.

**MR STANHOPE:** It is interesting that I think every one of the speakers on the other side that participated in this debate today spoke repeatedly and constantly of a bloated, overpaid public service. But not one of them would identify whether it was the child protection workers, the firefighters, the police, the school teachers or the doctors and nurses that they included in their description of unnecessary and overpaid.

Not one of them described which of those groups of public servants were the unnecessary, overpaid public servants. Not one of them explained which of them they would not have employed to actually meet the gaps in service which we inherited from them in child protection, disability services, emergency services, healthcare delivery and education. It is okay to rail against our budget, but you have no alternative vision or leadership.

Question resolved in the affirmative.

Bill agreed to in principle.

## **Estimates 2006-2007—Select Committee Reference**

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

That the Appropriation Bill 2006-2007 be referred to the Select Committee on Estimates 2006-2007.

## **Paper**

**Mr Stanhope** presented the following paper:

Independent Competition and Regulatory Commission—report 12—final report—Determination of ACTION bus prices for 2006-07, dated 26 May 2006.

## **Racism and unfair discrimination Paper and statement by minister**

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and

Economic Development, Minister for Indigenous Affairs, Minister for the Arts, Acting Minister for the Territory and Municipal Services and Acting Minister for Multicultural Affairs): For the information of members, I present the following paper:

Facing up to racism—A strategic plan addressing racism and unfair discrimination 2004-2008—Report card 2006.

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

Leave granted.

**MR STANHOPE:** Mr Speaker, I am privileged today to table this document which highlights the significant achievements of the ACT government in addressing racism and unfair discrimination in our community for the first two years of the strategic plan's implementation. While Canberra prides itself as one of the most socially cohesive and inclusive communities in Australia, we need to remain vigilant in upholding basic human rights and eliminating racism and discrimination, particularly in the face of graphic manifestations of racial hatred, violence and intolerance such as the events that unfolded in Cronulla.

What I am presenting today is testimony of the ACT government's commitment and resolve to maintain harmony and unity in our community. It is a record of tangible actions, policies and programs that are being implemented and adhered to by relevant ACT government agencies to concretely address racism and discrimination in order to protect the gains we have achieved as a community.

Mr Speaker, the strategic plan was developed by the ACT government in 2004, after extensive community consultations, to demonstrate the ACT government's strong commitment to the continuing development of the ACT as an inclusive, harmonious and cohesive society. The strategic plan aims to build a safe and more supportive community for all people in the ACT, particularly those vulnerable to discrimination and prejudice; to support reconciliation between Aboriginal and Torres Strait Islander people and non-indigenous Australians; to foster an environment which enables the ACT to gain maximum advantage from its diversity, to create more jobs and to compete more effectively in the market; to protect, promote and enhance the rights of Canberrans; and to build stronger relations between the ACT government and Aboriginal and Torres Strait Islander and multicultural community groups.

I turn to the principles underlying facing up to racism. The first is respect. Every individual is worthy of respect, regardless of factors such as their race, age, gender, cultural background, religion, disability, physical or mental illness, socioeconomic status or sexual orientation. The second is fairness. Every individual is entitled to access services and facilities for which they are eligible on a basis that is free from bias or injustice. The third is inclusiveness and multiculturalism. All people have the right to enjoy their ethnic identity and cultural heritage, including language and religion, and to participate fully in community life. Multiculturalism also aims to ensure that diverse skills and talents of all ACT residents are developed and used to produce cultural, social and economic benefits.

This report card has been developed in collaboration with ACT government agencies, particularly the ACT Human Rights Office. This first report card in the second year of the implementation of the strategic plan meets the commitment to report on the implementation of the actions. I am very proud of the achievements that the ACT government, with strong support from the community, has accomplished in the first two years of implementing this strategy. I would like particularly to highlight the establishment of the Theo Notaras Multicultural Centre, which opened in December 2005. This facility provides the space and the forum for the celebration of multiculturalism, and harmony in our community, and houses six peak organisations and 24 community groups. The National Multicultural Festival is another major highlight of the report card.

*At 6.00 pm, in accordance with standing order 34, the motion for the adjournment of the Assembly was put and negatived.*

**MR STANHOPE:** Mr Speaker, there are other concrete actions that are outlined in this report card on how the ACT government meets its obligations to ensure that every Canberran is able to participate fully in the life of our community without the fear of racism and discrimination. Examples include the good sports territory program, the employment program for people with a disability, Winnunga Nimmityjah Aboriginal Health Services, the ACT women's grants program and the access to justice program.

The ACT government places a high priority on the ability of everyone in the Australian Capital Territory to live peacefully and harmoniously and to fulfil their own life goals and ambitions. The ACT government's vision is for people from all cultural backgrounds, whether Australian born or not, to feel safe, secure and welcome in the region and for Canberra to be a place where all people reach their potential, make a contribution and share the benefits of our community.

Mr Speaker, I commend the report card on facing up to racism to the Assembly.

## **Paper**

**Ms Gallagher** presented the following paper:

ACT mental health strategy and action plan 2003-2008—mid term progress review, dated April 2006.

## **Indigenous education Paper and statement by minister**

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations): For the information of members and in accordance with the resolution of the Assembly of 24 May 2000, as amended on 16 February 2006, I present the following paper:

Indigenous education—eleventh six monthly report—1 January to 31 December 2005.

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

Leave granted.

**MR BARR:** I am pleased to present to the Assembly the report on performance in indigenous education. As members of the Assembly are aware, there has been a slight change in the reporting period for these reports. I appreciate the support of Assembly members in making that change. The change, as you will recall, shifts the two reports from the previous reporting period of September through February and of March through August to an interim half-yearly report covering the period January through June and a more comprehensive annual full-year report. The report I have presented today covers the 2005 school year.

Mr Speaker, 2005 saw the full implementation of a number of initiatives arising from the 2004-05 budget. These included the opening of a new Koori preschool at Ngunnawal, bringing the total number of Koori preschools to five; targeted support to year 4 indigenous students who were in the lowest 20 per cent in the year 3 ACTAP results through the employment of an additional 3.5 indigenous literacy and numeracy consultants; and employment of a leadership and mentor officer who is working closely with the indigenous college transitions officer in supporting indigenous students in the critical secondary years. In addition to these budget initiatives, the On Track program, which is funded by the government's community inclusion fund and is aimed at addressing issues of self-esteem, absenteeism, literacy and numeracy, commenced full operation. On Track targets both male and female indigenous students and is a follow-on to the Birrigai boy's program, a trial run in 2004.

The report of the steering committee for the review of government service provision entitled *Overcoming indigenous disadvantage key indicators 2005* quotes from an OECD report that "attendance at preschool and school has a significant impact on later academic success". As the report I have presented today shows, the enhancement of the Koori preschool program has provided greater opportunities for indigenous children to participate in early childhood education and has resulted in a significant increase in the number of children attending preschool. The five preschool sites—Ngunnawal, Wanniasa hills, Holt, Calwell and Narrabundah—now operate on two days each week from 9.00 am to 1.00 pm. During 2005, enrolments increased from 95 children in February to 132 in August.

It is pleasing to note that the improvement in year 3 reading and numeracy results in 2004 continued in 2005, with 95 per cent of the indigenous students being above the benchmark in reading and 93 per cent above the benchmark in numeracy. Of equal importance is the fact that the proportion of year 3 indigenous students achieving the national benchmark or better was 95 per cent, the same as for non-indigenous students. There was also an improvement in the numeracy results for year 5 indigenous students.

Mr Speaker, the government has made a significant commitment to improving outcomes for indigenous students and it is important to note that, in comparison with other states and territories, the ACT is a leader. However, the challenge for us is to eliminate the gap between the outcomes for indigenous and non-indigenous students. We need to investigate and address the fact that indigenous students achieve at the same level as

non-indigenous students in literacy and numeracy in year 3, but by year 7 have fallen behind their non-indigenous peers. This occurs not only in the ACT but also in all other states and territories.

We are very hopeful that the support for literacy and numeracy that we are putting into the early years of schooling will address that. For example, the students who received additional support in year 4 in 2005 will participate in ACTAP as year 5 students. We would hope to see an improvement in those students' results.

We also need to ensure that our indigenous students attend regularly, are engaged with their schooling and make a successful transition to further study or work. The indigenous home school liaison officers, the leadership and mentor officer and the college transitions officer have a critical role to play in that. However, it is not their role alone. It is the responsibility of the entire education system. We need to be more understanding about how we engage indigenous students in learning and we need to ensure that our teachers have this understanding. Initiatives such as the Dare to Lead program whereby schools make a commitment to improving outcomes for indigenous students will help.

It was very pleasing to learn recently that one of our indigenous students who graduated in 2005 received an inaugural Prime Minister's award for skill excellence as the nation's highest achieving indigenous student. This student, who had considered dropping out of school, is now working towards the goal of becoming a qualified librarian. Every success like this one provides an incentive for other students.

The government will continue to work towards the goal of indigenous students achieving outcomes equal to non-indigenous students. The foundations we put in place in 2005—Koori preschools, enhanced literacy and numeracy program, and support through leadership and mentoring—will be built upon. We will continue to work in partnership with the indigenous community, particularly through the indigenous education consultative body, to ensure that the improvements that we have seen, especially around literacy and numeracy, continue. Finally, we will continue to look at ways in which our teachers can gain greater insight and expertise around indigenous learning. Mr Speaker, I commend the 2005 report on indigenous education to the Assembly.

## **Paper**

**Mr Barr** presented the following paper:

Australian Capital Tourism Corporation Act, pursuant to subsection 12 (2)—  
Australian Capital Tourism Corporation—3rd quarterly report—January to March  
2006.

## **Working Families in the Australian Capital Territory—Select Committee**

### **Interim report—government response**

**MR BARR:** (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (6.08): For the information of members, I present the following paper:



Working Families in the Australian Capital Territory—Select Committee—interim report—government response.

I move:

That the Assembly takes note of the paper.

The government welcomes the interim report of the Select Committee on Working Families in the ACT and was pleased to note the level of interest shown by stakeholders through the submissions and attendance at public hearings. The interim report provides a comprehensive overview of the issues raised by stakeholders and summarises the core features of the legislative changes introduced by the commonwealth, with focus on the Workplace Relations Amendment (Work Choices) Act 2005, the Building and Construction Industry Improvement Act 2005 and the Workplace Relations Amendment (Better Bargaining) Bill 2005.

Recommendations 1 and 2 relate to proposed amendments to the terms of reference of the committee. Recommendation 1 proposes that the terms of reference be amended. Recommendation 2 proposes the amended terms of reference, with focus on the commonwealth legislation that stakeholders see as having the most significant impact on working families in the ACT. The amended terms of reference also include consideration of the impact of the commonwealth legislation on current or potential ACT legislation. The government agrees with recommendations 1 and 2, as they focus the work of the committee on areas identified as having the most significant impact on working families in the ACT, while continuing to provide scope to consider other matters.

Recommendation 3 proposes that the report and time frame for the committee be extended to August 2007. The extension of time for the committee's substantive report will enable time for the impact of the commonwealth legislation on working families to be reliably reported on. In the ACT, where it is expected that all employers and employees will be covered by the WorkChoices legislation, the impacts of WorkChoices may not be fully realised until current workplace agreements are renegotiated or the award rationalisation process is completed. The government agrees with recommendation 3.

The final recommendation seeks resources for research support for the committee to enable the effects of the commonwealth legislative changes on working families in the ACT to be adequately assessed. Whilst the government acknowledges the important work of the committee, it would not be appropriate for the government to provide funding or departmental resources to the committee. The provision of departmental resources to support the committee may appear to compromise the independence of the committee's findings. The government therefore does not agree with recommendation 4.

The government congratulates the select committee on the interim report and the work undertaken in considering the impact of commonwealth legislation on working families in the ACT. It is important that the community have the opportunity to comment on the effect that the commonwealth legislation is having on families in the ACT. The select committee provides this opportunity. The government looks forward to the further work

of the select committee and having an opportunity to consider the final report when it is provided in August 2007.

Question resolved in the affirmative.

## Papers

Mr Stanhope presented the following papers:

### **Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Cemeteries and Crematoria Act—Cemeteries and Crematoria (Fees) Determination 2006 (No 1)—Disallowable Instrument DI2006-85 (LR, 1 June 2006).

Dentists Act—Dentists (Fees) Determination 2006 (No 1)—Disallowable Instrument DI2006-81 (LR, 25 May 2006).

Financial Management Act—

Financial Management (Cultural Facilities Corporation Deputy Chair) Appointment 2006 (No 1)—Disallowable Instrument DI2006-87 (LR, 1 June 2006).

Financial Management (Cultural Facilities Corporation Governing Board Members) Appointment 2006 (No 1)—Disallowable Instrument DI2006-88 (LR, 1 June 2006).

Financial Management (Departments) Guidelines 2006—Disallowable Instrument DI2006-83 (LR, 29 May 2006).

Financial Management (Territory Authorities prescribed for Outputs) Guidelines 2006—Disallowable Instrument DI2006-82 (LR, 29 May 2006).

Health Professionals Act—Health Professionals (Regulation of Health Profession) Decision 2006 (No 1)—Disallowable Instrument DI2006-80 (LR, 25 May 2006).

Occupational Health and Safety Act—Occupational Health and Safety Council Appointment 2006 (No 1)—Disallowable Instrument DI2006-79 (LR, 22 May 2006).

Race and Sports Bookmaking Act—

Race and Sports Bookmaking (Rules for Sports Bookmaking) Determination 2006 (No 1)—Disallowable Instrument DI2006-76 (LR, 18 May 2006).

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2006 (No 4)—Disallowable Instrument DI2006-84 (LR, 29 May 2006).

Road Transport (Safety and Traffic Management) Regulation—

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2006 (No 1)—Disallowable Instrument DI2006-77 (LR, 25 May 2006).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2006 (No 2)—Disallowable Instrument DI2006-78 (LR, 1 June 2006).

Taxation Administration Act—

Taxation Administration (Amounts payable—Payroll Tax) Determination 2006 (No 1)—Disallowable Instrument DI2006-86 (LR, 1 June 2006).

## Rates Amendment Bill 2006

Debate resumed.

**MR PRATT** (Brindabella) (6.12): Mr Speaker, the need for the Stanhope government to table the Rates Amendment Bill is, I believe, a result of the very poor financial management and waste which are so characteristic of this Labor government. Ratepayers will now get an impost of \$20 million extra when more prudent financial management on the part of this government and the Emergency Services Authority would have achieved the same objective.

The government expended \$46 million on the Emergency Services Authority in 2002-03 and \$75 million in 2005-06. In 2006-07 it will be spending \$77.242 million. That is an extraordinary leap forward. Proper and effective delivery of those funds has been very questionable and is still the subject of ongoing investigations by the opposition. By the way, I note that no fewer than four FOI applications on the part of the opposition zeroing in on questions surrounding financial and project management issues are continuing to bounce around, and one wonders why.

Many serious questions have been raised over the last three years, since the McLeod inquiry brought down its recommendations and set the path for this government to follow, which this government has never properly or honestly answered in relation to the expenditure of the ESA, its performance and its priorities. I will list a couple of those. I think it is very important to understand them against the question of the need or otherwise to impose this \$20 million levy.

I refer, firstly, to the appropriation of something like \$23.6 million for the acquisition of new communications programs in 2003-04 arising out of the McLeod recommendations. It is very difficult to work out where that funding has gone and it is very difficult for us to be clear in our minds on whether the programs on which that money has been spent are running effectively.

I am talking about programs in project terms. For example, the trunk radio network is still not clear and the feedback from the men and women of our emergency services at the front line is that there are still difficulties with the trunk radio network. There were originally going to be 15 towers established for the trunk radio network. That was probably scaled down to something like nine or 10, but it is still not clear whether those towers were ever properly erected and are now functioning fully.

The old VHF, or very high frequency, communications system which was in place prior to the 2003-04 communications programs is still being used three years later. That VHF system was supposed to have been replaced by the trunk radio network. There are questions as to where the money for the primary radio networks has gone and why these systems clearly are still not working. There is still the question of the digital data communication system which has been picked up by ATI with the FireLink project.

I remind you, Mr Speaker, that some years ago when the government was seeking to introduce a digital data communication system it decided on a single source tender. It decided in the tendering process to take on only one player, FireLink, and then decided

to have it mobilised as its new digital data communication system. This is the system which was going to piggyback the primary radio network.

What was the justification for deciding on a single source tender? The justification was that the government, in its agency the Emergency Services Authority, wanted that digital data communication system, FireLink, mobilised during the bushfire season of 2004-05. It was so important to get that program mobilised and running by 2004-05, which was the justification for taking up a single source tender, only one player. All other possibilities were discarded.

As we speak, some two years later, there are still questions as to whether FireLink is now fully mobilised and fully installed in all of the emergency services vehicles which were identified as needing to carry digital data communications, and the budget has blown out by 25 per cent to something like \$4.3 million. There are very serious questions around FireLink that go to the heart of this government's expenditure on emergency services, particularly in terms of the family of communications programs. Is that why the government has imposed a \$20 million levy? Is it to cover the gaps left behind by some of these blow-outs in programs?

We know from looking at the performance and history of the Emergency Services Authority, emergency services in general and the management of projects, that in 2005 there was a serious shortfall in personal protection gear. We know that units of the State Emergency Service and the Rural Fire Service were quite seriously neglected in regard to the provision of personal protection equipment and personal protection clothing.

It would seem that money has been set aside in the budget this year to make up for those shortfalls. I was pleased to hear in discussions with SES volunteers that the chainsaw chaps which were in serious short supply last year apparently have now been purchased and issued to all SES chainsaw operators. I was pleased to hear that some of the protection gear which had been in shortfall and in serious short supply has now been issued. If that is the case, at least that has been picked up, but after a couple of years of neglect. I am wondering whether the \$20 million levy imposed on the Canberra community has been imposed to make up for some of those shortfalls and catch-ups in budget management.

Where has all this funding gone? The answer seems to be to more and more consultants, particularly in relation to the ESA's headquarters, to additional bureaucrats in the ESA organisation and, of course, to an increase in the bureaucracy which has become the ESA structure to what we now see as an overblown bureaucracy. Of course, that flies in the face of the McLeod inquiry recommendations that an emergency services authority needed to be lean, mean, autonomous and properly equipped.

While I am on that, the ESA structure is one that can be trimmed, that can reside in cheaper headquarters than currently envisaged by this government and that can, and must, remain as an autonomous agency. I will have a bit more to say about that later. The opposition believes that the ESA must be—

**MR SPEAKER:** Order! Mr Pratt, this debate is about the Rates Amendment Bill.

**MR PRATT:** Yes, Mr Speaker, it is.

**MR SPEAKER:** It is appropriate to discuss rates to remain relevant.

**MR PRATT:** As I was saying, where has the funding gone? Why is there a need to introduce a \$20 million levy? Very significant funding for some of those areas has gone astray. Is this levy required, for example, to fund the bushfire fuel load management program, a program which clearly has been neglected over the last couple of years? It was good to see in the budget that urban services has had an increase in funding of, I think, \$1.7 million this year and about \$1.5 million recurring over the next few years. That will certainly go some way to bridging the gap, but is it enough and is that why the \$20 million levy has been imposed? Has it been imposed because there has not been sufficient funding set aside for that fuel load management program?

Mr Speaker, let us look at some of the blow-outs. Let us look at the government's and the ESA's track record on financial management, which perhaps explains now the knee-jerk reaction of introducing this levy and these rates. I refer to June 2005, when it became apparent that the government had mismanaged the ESA budget. I pointedly refer to the \$5.4 million boost announced for the Emergency Services Authority, which then represented a budget blow-out and therefore was a major concern. Is that what this levy is aimed at? Is this levy aimed at making up for the blow-outs of last years and for blow-outs which, so far, are concealed in this budget?

Mr Speaker, you will recall that by then the government had blown out the territory's budget to well over \$90 million, I suppose the second worst budget in terms of the comparisons that were being made earlier. The government has shown that it cannot manage the emergency services budget properly. It had to rely on the Treasurer's Advance again last year and, of course, the Treasurer's Advance is essentially for unforeseen expenditure, such as major emergencies, disasters that are beyond the control of government. The government cannot budget for disasters. Surely the Treasurer's Advance is for those particular purposes. Does this levy replace the moneys from the Treasurer's Advance that we have seen misspent year after year to make up for ESA overspends? Is that what this levy is for, Mr Speaker?

The emergency services minister needs to reassure the community that its safety is not being compromised via insufficient funding for such fundamental services. The 2005 blow-out that I was talking about, which was then the latest in a series of blow-outs, came on top of a raft of failings in the emergency services portfolio. Are we now going to see this rates levy aimed at trying to plug the gap for what has been serial misbehaviour on the part of this government and the Emergency Services Authority in managing expenditure because they simply cannot, for some reason, spend within budget? Why can't the government ensure that the Emergency Services Authority spends its hard-earned dollars on targeted programs to ensure that we get an efficient emergency services family of organisations which can operate within budget?

Mr Speaker, I conclude by saying that it is a crying shame with regard to fundamental programs such as the community fire units program for which 80 units were required to have been raised, trained and equipped, according to the McLeod inquiry, that to date only 22 of those are up and running. In addition to the essential services that I was

talking about earlier, we clearly have a shortfall in capability. It would seem to me that this impost by this government, the introduction of an annual levy of \$20 million, is clearly aimed at plugging the shortfall as a consequence of poor management on the part of this government and its Emergency Services Authority in the funding of those fundamental programs. Do we need to spend \$27 million over the next four years on a new headquarters for the Emergency Services Authority? Why can we not make quite significant savings in that bag of gold, that \$27 million? Surely that would go a long way to eradicating the need to levy—

**Mr Mulcahy:** He could move into the tourism offices.

**MR PRATT:** He once told us that he could live in a tent. Would that go a long way to eradicating the need for this government to impose this \$20 million levy? I put it to you, Mr Speaker, that it would. The Chief Minister asked earlier about what sorts of answers we have to meet some of these budget challenges. The way to meet these challenges is by making sure that you put your money into thrifty, carefully targeted, well-measured and well-managed programs, be they infrastructure such as the headquarters or white elephant communications programs. Indeed, a lot less money could be spent, for example, on upgrading CAD, rather than throwing good money after bad on bloody FireLink. If these management procedures were followed, there would not be a need to impose a \$20 million levy.

In conclusion, I say that it is an absolute travesty that this government has mismanaged the emergency services budget in allowing the Emergency Services Authority to spend willy-nilly as it galloped off over the horizon and into the setting sun. By the way, the operational management on the part of the ESA is good. It is a good organisation and it operates well, but its administration and its financial management leave lots of questions to be answered. There would be no need to impose this levy if you got a grip on those management issues.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Arts, Acting Minister for the Territory and Municipal Services and Acting Minister for Multicultural Affairs) (6.27), in reply: I will speak very briefly in closing the debate. I must say that I would like to have responded in more detail in defence of the reputation of Commissioner Dunn, which has just been so resoundingly trashed by Mr Pratt in his comments. I have never seen such an outrageous attack on a dedicated officer as the one that we have just listened to from Mr Pratt on Commissioner Dunn.

Another thing I need to say, and it is inherent in the entire focus of this particular budget, is that it is about ensuring that we understand the cost of delivering government services and that we meet that cost through our revenue. We have increased funding to the Emergency Services Authority by 46 per cent, which begs the question: why, since coming to government, was it necessary to increase funding by 46 per cent? What was it that we found or inherited that required that level of extra investment and who was in government before us that left us with a situation which required a 46 per cent boost in funding for emergency services in the territory? You were. Tell us what funding you would cut. You have not told us what funding you would cut.

A fire levy is imposed in every other state in Australia. Every other state has a fire levy to reflect the cost of emergency services in protecting the community. You are not interested in that. Funding has increased by 46 per cent because you did not care. You underfunded emergency services and there was a consequence of that. The question that is begged by that is: why have we had to increase funding by 46 per cent since taking over from you?

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 8		Noes 5	
Mr Barr	Mr Gentleman	Mr Mulcahy	Mr Stefaniak
Mr Berry	Mr Hargreaves	Mr Pratt	
Dr Foskey	Ms Porter	Mr Seselja	
Ms Gallagher	Mr Stanhope	Mr Smyth	

Question so resolved in the affirmative.

Bill agreed to in principle.

### **Select Committee on Estimates 2006-2007—reference**

**MR MULCAHY** (Molonglo) (6.34): Pursuant to standing order 174, I move:

That the Rates Amendment Bill 2006 be referred to the Select Committee on Estimates 2006-2007.

### **Sitting suspended from 6.36 to 8.00 pm.**

**MR MULCAHY:** I do not intend to labour this issue—I am conscious of the late hour that members have to sit tonight, and I know there are a number of matters that have to be considered this evening—but I do believe that it is an important issue that I addressed in my earlier comments.

In the context of this budget, if we are going to bring in measures of this kind that have such an impact on every single household and business in Canberra, especially as there is the paucity of information in relation to this measure that we have identified—my colleague Mr Pratt made reference to it—it is only appropriate that the bill should be submitted to an estimates committee. If this were an ad hoc decision of the government to introduce a revenue measure, there was ample opportunity earlier in the year, there was a revenue bill introduced by the former Treasurer, and there were changes made to it around the period close to Easter when it was next considered.

I see no reason why, when bringing in these bills in the period of the budget, no briefing is extended. Then we are told that the whole thing has to be rushed through in 48 hours. When there has been an estimates committee convened by the Assembly and dominated by government members, there ought to be at least a willingness to respect the

parliamentary process and to scrutinise this legislation so that these matters can be determined.

At the moment I think the people in Canberra feel that they have been hit from all sides. There is a lot of information we have not been able to elicit, even through question time, on the methods of some of these taxes and the way in which they are going to increase. So I believe that this is the appropriate course of action for such a new measure. I apologise that I did not give notice to the government on this, but in fact it only occurred to me very late in this debate that this is an option that would be available for consideration. That is a genuine comment on that.

So, Mr Speaker, there is not much more I can add. I covered the concerns about estimates earlier in the debate. I commend this proposal to members to consider.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Arts, Acting Minister for the Territory and Municipal Services and Acting Minister for Multicultural Affairs) (8.04): Mr Speaker, the government will not support the referral of the legislation to the estimates committee. I am conscious of the comments that the shadow Treasurer made in the debate. This bill, at one level, is a separate plank of the budget strategy and budget. It is central to the essential scheme and design of the budget. I acknowledge that there is a short time frame. At one level I certainly regret that and I acknowledge the difficulty for members in coming to terms with a bill of significance, such as a revenue measure such as this, in the space of three days.

I regret that particular circumstance, but I am sure that, on reflection, members will understand and appreciate the circumstance. The budget was brought down on Tuesday this week. This particular proposal is central to the structure and the central direction of the budget and it is necessary that it be passed for the beginning of the new financial year in the context and terms of the budget and its strategy. I do acknowledge, and I certainly appreciate, the fact that the very short time frame has imposed additional pressure and stress on members, but the government regrets that that could not be avoided. We will not be supporting its referral.

**DR FOSKEY** (Molonglo) (8.05): Just briefly, for all the reasons that both Mr Mulcahy and Mr Stanhope gave, although they both came to different decisions on it, I will support the motion of Mr Mulcahy, primarily because of the things that I said in my speech. I just think I have to follow through on that, understanding that it will be lost.

Question put:

That **Mr Mulcahy's** motion be agreed to.

The Assembly voted—

Ayes 6

Mrs Dunne  
Dr Foskey  
Mr Mulcahy  
Mr Pratt

Mr Seselja  
Mr Stefaniak

Noes 7

Mr Barr  
Mr Berry  
Ms Gallagher  
Mr Gentleman

Mr Hargreaves  
Ms Porter  
Mr Stanhope



Question so resolved in the negative.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Administrative (Miscellaneous Amendments) Bill 2006**

Debate resumed from 6 June 2006, on motion by **Mr Stanhope**:

That this bill be agreed to in principle.

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (8.11): The opposition will be opposing this bill at the in-principle stage. I think we would also like to send this bill to a committee—we would probably have the same result—but we do have a number of amendments if that is unsuccessful.

There have been many attempts in the past to centralise administration in bureaucratic agencies. A shared services body was actually established by Rosemary Follett during her time in government, and with a much smaller budget than we have these days. This arrangement, which was meant to save the ACT \$1.5 million, actually ended up costing taxpayers \$3.5 million in the first year. Of course, we also have the Western Australian experience of shared services that was adopted in Western Australia following a functional review conducted by one Michael Costello in 2002. In 2003 the Western Australian Department of Treasury and Finance estimated that its shared services project would cost \$70.3 million to implement but would generate benefits of \$83.9 million by 2006-07. Unfortunately for that state, Treasurer Eric Ripper recently announced that the shared services project has cost more than \$50 million so far. It has employed more than 200 public servants and has not yet delivered any return to the people of Western Australia.

Now there are good intentions, but the same thing has been tried before without success. We had a debate earlier about things like centralised grants programs and some of the problems with them. These have been tried and the savings simply have not come—in fact, they have often been much more expensive. In some instances it may not be a problem. We are actually giving the benefit of the doubt with respect to ACTION.

This party has always opposed the need for a small business commissioner. Also, we accept that the Stadiums Authority may not actually be the best way to go. Bruce Stadium, for example, as it then was, was administered by a very small group from the Bureau of Sport, Recreation and Racing in 1997 prior to its being made into a rectangular field. I paid tribute at the time to the work of Tracey Guirietto and Tony Morris, who, with a much smaller group than the Stadiums Authority has, actually made a profit—probably the only real profit because there was no government money going in—of about \$112,000. We accept that the Stadiums Authority does well, but money is actually paid to ensure that the Brumbies and the Raiders play there, and that probably far outweighs any moneys that come back from it.

So I think the jury is out on that one. We are actually prepared to give the government the benefit of the doubt. But I think there will be great problems with moving tourism back into a department. A number of us were at the breakfast yesterday and actually listened—it is a nice, novel thing for politicians to listen—to the concerns of industry about what is happening with tourism. I think the rationale for what is occurring here is extremely inadequate. The government's explanations are very, very weak indeed. Tourism funding, of course, has been cut by over \$3.5 million for the coming financial year, a reduction of 18 per cent, and a further \$1 million will be cut in the following financial year. That is expected to result in a drop of 10 per cent in tourism in the ACT, or around 200,000 tourists.

We have heard that the industry reckons that about 1,200 jobs will be lost. As I said earlier, many of those will be young people. Bureaucracies do not tend to run tourism well. The net loss is about \$20 million, according to estimates we have heard so far in relation to just this particular instance. I think the government has a very weak rationale for getting rid of the tourism body and putting it back into the department. I do not think that is going to help at all. I do not think that is going to result in any real savings. I have already made my point: sometimes you have to spend a bit of money to make a lot more.

Also, the Health Promotion Authority is something we do not think will fit well into health. It is bound to have a much more narrow focus, whereas it currently does a very good job of promoting healthy lifestyles to diverse groups in the community. One of the concerns I have had with the Health Promotion Authority—wearing my sport and recreation hat—is that, even in more recent times, less money is spent on promoting healthy, physical lifestyles through sport and recreation activities than on some of the more esoteric areas which I think will probably come to the fore a lot more if this body is just put back into Health.

At least there is a board with expertise in a wide range of areas and at least a wide, diverse range of healthy lifestyle projects are supported. Some of them—not as many as I would like to see, but some of them—such as sporting and recreational pursuits, artistic pursuits and other pursuits will have a much narrower, purely health professional type of emphasis if that body is put back into the department as is proposed.

Then, of course, there is the decision, which my friend and colleague Mr Pratt will be talking about as well, to merge the ESA back into JACS. I think that is fundamentally flawed. Worse, it flies in the face of all the lessons of recent history. It flies in the face of both the McLeod inquiry and the Auditor-General's report No 3 of 2003, both of which recommend a stand-alone agency for emergency services. The McLeod report found that many of the problems experienced during those terrible fires of 2003 were exacerbated by a bureaucratic structure that hindered communications and front-line emergency responses under the old Emergency Services Bureau. The Auditor-General recommended that the bureau be replaced by a statutory authority. Millions have been spent effecting the establishment of the Emergency Services Authority, and now all that is money down the drain.

Commissioner Dunn, a highly distinguished individual, a major general in the Australian Army, who was brought in with great fanfare, has resigned in disgust as a result. And who can blame him? Nothing has been learnt by this government, so we will have a

return to a situation in which the bureaucracy paralyses the ACT's emergency responses. That was the very thing that the ESA was set up to combat.

It is probably prudent for me to read the relevant extracts from the Auditor-General's report No 3 of 2003. On pages 143 and 144, under "suggested actions", paragraphs 8.45 to 8.47, the report states:

Accordingly, it is suggested that the Emergency Services Bureau be replaced by a statutory authority.

If it were agreed that there should be an emergency services authority, it is suggested that the enabling legislation for such an authority include a requirement that it prepare an annual operational plan and that the plan be required to be presented to the Legislative Assembly.

- It is further suggested that, in view of the time that might elapse between the time when a decision to establish an emergency services authority was taken, and the time that enabling a legislation might be passed by the Legislative Assembly, that an interim authority be established as a matter of priority. Such an arrangement would also provide invaluable experience that would be useful in the drafting of appropriate enabling legislation.

This report was signed on 15 May 2003 and it was based on the emergency services structure prior to the January 2003 bushfires. We also, of course, have the McLeod inquiry, and sadly a lot of that just seems to have been thrown out of the window by this government. There are a couple of relevant comments to make on that, and I quote from pages 207 and 237. At page 207 the report states:

The question is: how can a more integrated and coordinated bush and urban fire effort best be achieved institutionally, in ways that preserve and enhance the distinct skills and abilities of both fire services, increase their combined power, and allow them to work more effectively with other related emergency services?

The Inquiry concluded that these objectives can best be achieved through the creation of a new statutory authority to replace the Emergency Services Bureau. This new authority would have the following characteristics:

- It would be separate from and independent of any department of state and would be outside the public service.
- It would be responsible for the overall strategic direction, management and operational control of the ACT Bushfire Service, the ACT Fire Brigade, the ACT Ambulance Service and ACT Emergency Services.
- It would report directly to the Minister responsible for emergency services.
- It would be headed by a full-time Chief Executive Officer.
- It would be structured in such a way as to
  - maximise the opportunities to improve the operation effectiveness and flexibility of all of the emergency services organisations

- acknowledge the upgraded emphasis on community education and information and media relations
- retain a degree of operational separation from the Ambulance Service, in recognition of the extremely limited opportunities it has for cross-over with other emergency service agencies.
- It would provide common planning, administrative and logistical support to all its component parts and would have a common communications facility, command and control centre, and headquarters.

The basic structure of the proposed Authority is shown in functional groupings in Figure 6.

And then we go to page 237, under the heading “A more unified and independent emergency services organisation”. The recommendations state:

The separate organisations that make up the emergency services group that is co-ordinated by the Emergency Services Bureau, and the associated arrangements, should be replaced by a statutory authority, the ACT Emergency Services Authority.

The proposed authority should be headed by a Chief Executive Officer.

The position of Chief Executive Officer should be advertised and filled on a contract basis before the enactment of the legislation. In this way the person appointed can contribute to formulating the legislation and the transition process can begin without delay.

Upon the abolition of the Emergency Services Bureau, a small policy formulation unit should be established in the department that supports the Minister responsible for emergency management.

There it is in black and white. We just do not seem to learn from history. These things have been tried before. They actually have not worked and we have had two very learned reports from the Auditor-General and from the McLeod inquiry in relation especially to the Emergency Services Authority. Despite the fact that the government has attempted to show that operationally it would still be independent, it still comes under a department. It still is subject to the constraints that that imposes. It is still subject to the problems in terms of administrative back-up inherent in relation to that, and so are those other agencies that I have mentioned.

History shows that the government is highly unlikely to achieve the efficiencies it hopes to achieve. History also shows that, when attempts were made to do this type of thing before, invariably they failed and we had to go back to the drawing board. These are very important agencies. The emergency services agencies and tourism agencies are crucially important in actually growing the territory in terms of getting people here, bringing money into the territory and creating jobs—all of those problems which this government’s budget has really stomped on in a very hard way. This adds insult to injury in bringing these agencies back into government.

As I said, in terms of those other agencies, we are prepared to give the benefit of the doubt to the government; we do not have a huge problem. But these three particular agencies are fatal in respect of this bill. We just do not think it is going to work. We think that this bill is the wrong way to go. Far from saving money, it will probably end up costing the community more money in the long run.

**DR FOSKEY** (Molonglo) (8.24): There are a number of issues about the kinds of structural change that the government is proposing that I want to raise today. Some of them were raised in the scrutiny of bills report, and I trust that there has been time to absorb those. The scrutiny of bills report indicates that there are issues in regard to human rights that should have been considered in the development of the explanatory statement because there are issues around privacy in the moving of records. Given that we have a Human Rights Act, we should apply it. Secondly, a concern was raised about a strict liability offence that is listed without an explanation for it. It may well be justified, but the general concern was that the old bill was adapted here but without taking into account the fact that, since that bill was written, we have developed a Human Rights Act.

One thing that governments do quite regularly is restructure their bureaucracies. Perhaps that is one way that a new government can imprint itself on the organisation of things that it is meant to take responsibility for. In this case the stated reason for the restructure is to save money. There are a lot of concerns about that. I am concerned about the absorption of the Health Promotion Authority, for many of the same reasons that Mr Stefaniak gave. I think it performs a unique function. It certainly involves community organisations and thus brings in innovative practices that a bureaucracy cannot. The other thing is that small amounts of money are spent for very great effect.

I know less about tourism. I am sure that tourism has enjoyed being a separate commission. I certainly do not think that handing over the job to the commonwealth is a satisfactory way to go, because we do not have any control over those promotions. It also undervalues our territory. I do not think the federal government will be promoting, for instance, our nature reserves, our national parks and such things.

I now refer to emergency services and the resignation of the commissioner, for whatever reason. I always think that there are probably more reasons than the ones that are publicly stated, but I would say that part of the reason for his resignation would be that he saw something being changed when he was not really given a role in the decisions about that change. I expect that if you were the commissioner of a department, you would like to have some say in what happens to it.

I mentioned in my speech on the budget that the environment department in the ACT has had several changes over the last two years and that that has been very confusing for the people who work there, and to some extent for the public, because they probably have not been able to keep up with all the name changes and ministerial changes.

The ACT is unique because it is positioned alongside a rather larger public service employer, the commonwealth. We are very well aware that we have a lot of leakage from our public service to the commonwealth public service. Therefore, we have to make a special effort to keep our very best public servants. How do we do that? I fear that the budget is eroding the conditions that they might have had. The superannuation changes

will be felt by some people as a reason for moving out. There is a sense that there will be more redundancies this year, and there might be more redundancies next year, and some of the departments are just recovering from redundancies last year. That destabilises all those things that are essential to a bureaucracy that works.

Those things include loyalty. Loyalty is a two-way thing: if people feel that managers are loyal to them, they will be loyal to managers. I have been talking to some people who take great pride in being the ones who give the bad news to their staff. But there are other departments and bureaucracies where there is a danger that people will receive bad news in an email, or already the rumours are going around and the destabilisation has commenced.

Another important quality is trust. For instance, people must believe that the contracts that they have signed will be honoured. That is at the formal level. There are also informal trust networks too: people know that others are not speaking about them behind their back, bullying in the workplace is cut short and structures are in place. Adaptive information—the whole question of institutional knowledge—is something that bureaucracies are losing over and over again.

There is too much of a tendency—I am not sure whether it is going to happen in this case—to call in consultants who have none of those things: loyalty, trust and adaptive information. They come in with their you-beaut MBA degrees and they tell the department how it should be reorganised and then they go away again. All that, of course, wastes time, takes energy, and erodes what I think the ACT public service has to rely upon, given that we have the big brother employer next door, which is the sense that people have that they are working in a body that cares about them, where they can see the impact of their work. That is the benefit of working in a small service: you actually have connection with the people to whom you deliver services. Of course that can be also a disadvantage in some cases.

As I said jokingly to one journalist last week, if we take away superannuation benefits and if we look as though we are constantly going to be restructuring, we have to hope that people work for the ACT public service just because they love it. That is what I wonder is being eroded. We know that the reorganisation will now take some months, and various other jobs will not get done. I am afraid that at the end of all this we might have lost some of our very best people. There is more stress when there are fewer employees, there is more work to be done, and perhaps it is easier over the other side of the hill.

Those are my concerns not about the bill so much but about what it presages. Nonetheless, I know that it is what governments do. I just think that the way that it is done is going to be of crucial importance.

**MR PRATT** (Brindabella) (8.33): I want to talk to this government initiative, this proposal, against the background of the Emergency Services Authority and ACTION buses. I will deal with the Emergency Services Authority first and the detriment that is going to be caused by these near-sighted initiatives on the part of the government.

This administrative arrangements bill is taking the city back to the dark ages in emergency management. The government has spent millions of dollars setting up certain

agencies as independent authorities for the purposes of providing better services to the public and improving community safety. I also talk about public transport when I talk about this rebound to the dark ages.

While there may be problems within some of these agencies that need to be ironed out, such as financial management problems and project management problems in the Emergency Services Authority or inefficiencies in ACTION, instead of making the effort to sort these problems out, the lazy Stanhope government would rather suck them back into the public service arena and hope that, by them lying within the constraints of departmental bureaucracy, all those problems will be solved. Some of the administrative problems would definitely be solved, but I would put it to you that the operational efficiencies and the ability to respond quickly to the community's needs would suffer.

Abolishing the administrative and financial independence of these authorities in the hope that bringing them back under the public service umbrella will solve issues of overspending is extremely naive and a cop-out. Rather than take the hard and tough decisions to fix these authorities up and get them running more efficiently as independent bodies, thus enabling them to better serve the community, the government is pretending that money will be saved through putting them back under the public service umbrella.

I will now turn to a couple of specific areas which the opposition and the community are deeply concerned about regarding the proposal to basically disembowel the Emergency Services Authority, to delete it as an authority. Let me pull a couple of issues out. The opposition is seriously questioning why the Stanhope government has decided to amalgamate the ESA under the Department of Justice and Community Safety. We think this takes the ESA back to the same old bureaucratic structure of the ESB, as a wing of JACS, that existed during the January 2003 bushfire disaster.

**Mrs Dunne:** And what a disaster that was.

**MR PRATT:** It was a disaster. Firstly, this impending amalgamation seems to be a vote of no confidence in Commissioner Peter Dunn by the Stanhope government. They have pulled the carpet out from under him in respect of what he has developed. Secondly, it is a betrayal of the McLeod inquiry and the Auditor-General's findings of May 2003, which both recommended a stand-alone agency for emergency services. Those two august bodies made that clear recommendation, and that has now been chucked out the back window by the Chief Minister and his ministers.

Finally, this amalgamation is a betrayal of the men and women who serve the community through the Emergency Services Authority and the emergency services, whom I have assessed were happy with the concept of an autonomous emergency services authority or agency. They were happy with that.

In the aftermath of the January 2003 bushfire disaster, the McLeod report found that many of the problems experienced during the fires were exacerbated by the bureaucratic structure that hindered communications and front line emergency responses under the old Emergency Services Bureau. It was not only McLeod who raised these concerns. Let me remind you of what the Auditor-General said in report No 3 of 2003, where he identified similar concerns about the ACT's operational readiness to manage disasters. It says:

The Audit's key suggestion to overcome the deficiencies in governance and management arrangements ... is that the Emergency Services Bureau be replaced by a statutory authority.

Let me remind the Assembly that, around mid-2003, in this chamber, the Chief Minister dismissed the findings of the Auditor-General's report, which had found the Emergency Service Bureau to be inadequate and dysfunctional, leading to a massive breakdown in command and control during the 2003 disaster. Perhaps that underlies the attitude of this government in respect of what the ESA has become and what the findings of the McLeod report were. Maybe the Chief Minister is hoping that Canberrans' memories of that disaster and the inefficiencies of some of those organisations will have faded. Perhaps that is what he is hoping for.

Despite the comfort of chief officers in the emergency agencies and services, and the rank and file with operating independently from departmental bureaucracy—yes, they may have questioned the bureaucracy that was beginning to become the Emergency Services Authority—they wanted that agency to continue, effectively, as a stand-alone entity, unencumbered by JACS or any other department.

The men and women of those services and their chief officers understood the operational efficiency, the responsiveness and the advantages that the streamlining had brought them by cutting the old Emergency Services Bureau away from JACS and creating a new stand-alone agency with the operational authority to respond quickly, without having to look over their shoulders to see what the department was thinking. That is what the men and women of our services understand. If you do not know that, Chief Minister, go and ask them.

An independent emergency services authority is critical to the effective emergency management of the ACT. This was recognised by the opposition in 2003 and, finally, the Stanhope government got around to recognising that too. That is why they clearly spent good millions of dollars creating the ESA in the first place.

So, you see, it was deeply alarming to the Canberra community, to the ESA workers, to the workers and the operators in the emergency services agencies, to the commissioner and to the opposition to hear the announcement in the 2006-07 ACT budget that the government is now going to recreate the structure of the ESA we fought so hard to abolish in 2003.

For the sake of our community's safety, in case of another emergency, the ACT cannot afford to allow bureaucracy to once again dominate the ESA's operations. You cannot have too many heads reaching down and managing the way that our emergency services operate.

You cannot have too many administrative heads, too many people operating in the tail and a commissioner and chief officers trying to run the show, if you want them to be training efficiently and if you want them to be able to respond very quickly to emergencies. That is why McLeod, other experts in the field and the people who have served on ACT bushfire councils over the last decade and a half, all applauded the move to cut the ESA away from departmental bureaucracy.



The opposition has been calling for the Stanhope government to take action regarding the ESA's administrative, financial and project management, particularly tendering practices, for some time now. We have recognised that the ESA, in the operational sense, has been a success for all the reasons I have just outlined—that it was a much more responsive organisation. But, of course, the opposition has been deeply concerned about the way the bureaucracy of the ESA has grown out of control.

We have been somewhat concerned about the way the ESA has spent money on some of its projects, and we have been very concerned with some of their expenditure priorities. But that does not mean other than that, operationally, the model is excellent and quite successful. So we think the government has got its priorities entirely wrong here.

Those problems need to be addressed by the government but within the existing structure, not solved by hiding the ESA back under a departmental structure. The answer to those problems is not to amalgamate the agency. The government simply needs to make the authority more accountable and efficient, but must leave it as a stand-alone agency to ensure prompt emergency responses, as I have just outlined, that cannot be hindered by departmental bureaucracy.

If you put emergency services headquarters back inside the department of justice and community services, yes, the advantage is that there will be some savings in administrative arrangements. There will be closer focus, I suppose, on some of the administrative weaknesses we have identified. I am sure the government has identified them. That must be one of the driving reasons for this. Isn't that true, Mr Barr? It must be one of the driving reasons why the government wants to do this. But we think you will throw the baby out with the bathwater, and you are going to lose the operational responsiveness.

I think this will be a blow, too, to the morale of the emergency services. While there were concerns about how some of these issues were being managed, there was a certain pride amongst our women and men in the fire services, the SES, the ambulance and the fire brigade about the way this entire organisation was running. The McLeod inquiry concluded that community safety would be maximised through the creation of a new statutory authority. We have already talked about this. Some of the areas he covered are quite instructive. McLeod said this, for example:

It would be separate from and independent of any department of state and would be outside the public service; it would be responsible for the overall strategic direction, management and operational control of the ACT Bushfire Service, the ACT Fire Brigade, the ACT Ambulance Service and ACT Emergency Services; it would report directly to the Minister responsible for emergency services ... It would be structured in such a way as to maximise the opportunities to improve the operational effectiveness and flexibility of all of the emergency services organisations ... It would provide common planning, administrative and logistical support to all its component parts and would have a common communications facility, command and control centre, and headquarters.

That is what McLeod said, and a lot of experts around the place really quite agreed with that. I would disagree with Mr Corbell's comments that moving ESA under JACS is justified to make things more and more efficient. I would disagree with that observation

entirely. The ESA needs its autonomy and it needs to have complete control over its operations.

I do not agree with Mr Corbell's attitude either that by moving ESA inside JACS, because they will be that much closer to other authorities and agencies, their counter-terrorist role will be enhanced. That is just a load of old codswallop. Why do we have joint working parties drawn together from scattered agencies? That is why we have joint working parties and joint task forces. You do not have to lump everybody under the one bureaucracy just so they can all talk together in planning terms about the terrorist threat. I think the minister is not coming clean enough in saying why this move is underway.

I will turn quickly now to ACTION. ACTION is currently a statutory authority, and the opposition believes at this point that it should remain that way. While the operation is not profitable, due to the nature of the public transport system, it runs. The way its fees are set up by the ICRC and despite the fact that it requires funding top-ups by government to cover costs, there are sure to be more effective ways to address the problems and inefficiencies within ACTION than simply transferring it across to the territory and municipal services department.

This is simply another attempt at a quick fix, while failing to address the real problems within the ACTION operation. The opposition will be voting against the amalgamation of ACTION into the Department of Territory and Municipal Services, to take a stand against the whole-of-government approach to restructuring the public service in general. Therefore, we wish to move an amendment to the administrative bill debated here today to remove all the clauses which pertain to the transfer of the ACTION to the department.

The opposition wishes to note for the record that we are against the rush job that this bill presents in transferring these multiple authorities to the management of the departments. These types of transfers should be considered under a much more detailed mechanism, and we do not think the government has done that. We think that you are taking two good, autonomous agencies, that you are going to ruin them, and that you will have major impacts on the community in a loss of the delivery of good service, particularly emergency services.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (8.48): I am conscious of the late hour, so I will restrict my comments to some changes that directly affect my portfolios in tourism, sport and recreation.

In this bill we are proposing that sport and recreation moves into the new Department of Territory and Municipal Services. This will enable all sporting facilities to be managed in one department. There has been a call in the community to see the centralisation of all sports functions in a one-stop shop and we are delivering that in this reform.

We will see the Stadiums Authority take over control, within the Department of Territory and Municipal Services, of Manuka Oval and Phillip Oval. I think it makes sense to pick up the skills within the authority under the broader umbrella of territory and municipal services—a one-stop shop, as I say.

I think the other advantage we will see is a streamlining of administration costs in relation to sport and recreation development grants. It was of some concern to me, as an incoming minister, to find that 16 per cent of the program expenditure in sport and recreation development grants was being consumed by administration.

That is clearly above a best practice range of between three and five per cent. One of the benefits that I think we will see flowing from this is more sport and recreation grant money going out to organisations, rather than being consumed by administration.

I think this is an important development and an important strengthening, and it certainly has met the demands that have been placed on me as a new minister in early meetings with sport and recreation groups. They wanted a single port of call. Although the department of sport and recreation itself has been a bit of a journeyman department over the years and has tended to follow a particular minister around to be a subset of that minister's department, I think that, in the end, co-locating it with the Stadiums Authority in territory and municipal services is a sensible move.

Turning to tourism, obviously there has been a fair degree of comment made around the new administrative arrangements for tourism. Again, the issue that came through straightaway for me was the amount of money that was being tied up in administration within that organisation. It is a concern that, in a government as small as ours, we consume so much of our money in administration. I think that, in the end, for tourism we need to be a little bit more innovative in how we look at the money we apply in that sector.

I have heard comments from the opposition that there is some sort of magic multiplier effect, and I have heard claims as wild as, "For every dollar we spend on tourism we will get \$11 back." There seems to be a failure from some observers to acknowledge the law of diminishing marginal returns. If it were true that we were to get \$11 back into the economy for every dollar we spent on tourism, then the logical thing would be to put the entire territory budget—all \$3 billion—into tourism and then, hey presto, we would have a \$33 billion return. I do not think that is the case. I think there is a limit on this multiplier effect.

**Mr Smyth:** What is the limit? Have you researched what the limit is?

**MR BARR:** I think it is considerably lower. My view, in the end, is that the industry does not want to be a bunch of rent seekers, that they do not want to be a bunch of people who come round seeking handouts from government to further their businesses. In fact, if the federal government were to butt out of our civil unions legislation, then we would have a fantastic opportunity to market the ACT as a fantastic destination for gay and lesbian couples to come and join a union here in the ACT. It is a huge market. It is a lucrative market. We certainly could undertake some significant marketing.

In fact, I am very pleased to inform the Assembly that we are working on a new package in relation to a new set of marketing for the territory that is around romance. We are being broad in our definition of "romance" and broad in our scope of marketing. I am pleased to say that we are going to look at targeting some markets that we have—

**MR SPEAKER:** What about me?

**MR BARR:** Perhaps the market for speakers of Australian parliaments is somewhat narrow. Nonetheless, should there be future conventions for speakers, then look forward to them being here in the ACT. That is an initiative I would welcome.

I think the other thing we need to look at is further developing our relationship with Qantas. I was very pleased to see the increase in capacity that Qantas put on the Canberra-Sydney route recently. That is a very welcome initiative from Qantas. They certainly have a major role to play in bringing visitors to our city.

I think overall, though, we have to be sensible about the money we expend on tourism. There is not a magic multiplier effect. The law of diminishing marginal returns applies to expenditure on tourism. I know that the tourism industry do not want to come to me as rent seekers, as people who cannot make a profit in their own industry without government assistance, and that there is no future for tourism if they are rent seekers—none at all.

Perhaps as a broad philosophical bent, I am not a big supporter of industry policy. I do not see that industry policy is particularly useful, all in all. I think that, in the end, the best thing for government to do is to get out of the way, most of the time, for the private sector. There is no particular advantage in government business welfare. I see no value at all in that.

*Mrs Dunne interjecting—*

**MR BARR:** It is disappointing that there are some on the other side who seem to be totally beholden to the rent seekers. They see their agenda in public life to go round seeking handouts for particular sectors. I do not see that as necessary in tourism at all. I think some of the best tourism initiatives have occurred where the private sector and those operators in the industry have got together of their own accord and produced particular initiatives that have been very successful.

One I would point to in what has traditionally been a lull in the Canberra events calendar is the Fireside Festival. The local vineyards and some of the local restaurants got together and produced a fantastic website. They had a targeted marketing campaign particularly for people from Sydney coming down to the snow to spend some of their time in Canberra on their way through here. The campaign was directed at their attending events at lunchtimes on Fridays, on Friday nights or on Sunday nights at some of our fine vineyards and restaurants in the region.

It is in its second year this year, as it kicked off last year. It is a fantastic initiative. I encourage all members to participate in it. It occurs in August. Members would have seen, I think it was in the *Sunday Times* winter events calendar for the territory, that that festival is taking place. It is a great initiative.

The interesting thing is that it did not require a huge amount of government assistance, if any. That is the sort of stuff we need to see—a little bit of innovation, a little bit of

self-help. The Liberal Party are the great proponents of people getting off their backsides and doing stuff for themselves. Let us see a bit of it in tourism as well.

I am happy, as minister, to do all the promotion I can possibly do, particularly in communities where I may be able to forge some links that have otherwise not been the case. I am happy to champion our tourism effort in those areas. I am looking forward to going to the Australian Tourism Exchange in Adelaide later this month. There have been some great opportunities there for the ACT.

It is, I suppose, overall a case, though, of how much money you are going to devote to any one set of industry assistance. As I say, philosophically, all in all I am pretty wary of government business handlings. I do not think they help industry either. If you cannot survive without government assistance, then there is a problem—there really is—in industry and you get people saying, “Let’s pick winners. Let’s throw money at a whole range of projects and see what happens.”

I think the history of governance in Australia shows that the governments tend not to be particularly successful with that sort of industry policy and that you need to get your broad economic settings right. I think it is clearly the case in this territory that that is the direction we are headed. I think it is important that, at a political level, we show some leadership on tourism. That is something that, as minister, I intend to do. Whether we can sustain tourism spending at 111 per cent above the national average forever is very questionable, in the context of getting the full returns from that expenditure.

It is interesting that, when you look at the comparisons, in the ACT we are spending an average of nearly \$55 a head on tourism and Victoria spends \$8.73. So you have to question whether, at the top end of that, there are diminishing marginal returns on this expenditure. We need to be a bit smarter about how we do things. We need to make sure that at the administrative end we are efficient. You would have to question, in the context of this administrative change, that the reasons behind it are about making some administrative savings, about sharing some particular aspects of HR, of finance, of media. There is a whole range of things where—

**Mr Gentleman:** Printing.

**MR BARR:** Printing, indeed, yes—there are aspects of the operations at the moment, or prior to the budget anyway, where we perhaps could wind back and spend our money more wisely. I think that, in the end, that is the direction we are heading in, and that is the direction I strongly support as minister, to see that we put our maximum effort into markets that will get a definite return for us and we are a little bit innovative.

I find, certainly from my own perspective, that how effective our website is, for example, is very important now, particularly for attracting tourists, shall I say, of generation X and generation Y. The whole basis of a lot of our choices about where to spend our disposable income is based around easy access on the internet. That is going to be a sharp focus for me, to ensure that all of our tourism website material is spot on and is at the cutting edge. That, I think, is something I will be seeking to deliver under these reformed arrangements.

**MR SMYTH** (Brindabella) (9.00): Mr Speaker, how quickly the tide turns. Two or three months ago Mr Quinlan would come in here and tell us how well the Australian Capital Tourism Corporation was doing, how it had branded the city, how it had changed direction, how the tide had turned. Now, apparently, it is all wrong. The program is wrong, the marketing is wrong, the overheads are wrong and the website is wrong. How quickly we can develop a case and attack a group of staff that have worked very hard under a government that I do not think has cared about tourism. And it is all their fault.

What is the magic cure? It is to fire some of them, drag the rest of them back into the department and say to the board, "Good job, but you are now just a bunch of advisers. Thanks very much." This is the caring, compassionate, Stanhope Labor government.

I managed to get a copy of *The economic contribution of tourism to the ACT: a tourism satellite account-based analysis* prepared by Access Economics for Australian Capital Tourism. I do not know if the minister has read the report, but he should get a copy because he seems to think there is no effect from the money that we spend. Interestingly, in the 2002-03 financial year, 3,995,100 people visited the ACT. At that time expenditure was, let us say, \$20 million. Over the next couple of years we have taken out a million here and a million there.

It is fantastic that this afternoon the minister presented the third quarterly report, from January to March 2006, of Australian Capital Tourism Corporation. I want to compare that report with financial year 2002-03. I know that I am comparing a financial year, 2002-03, with calendar year 2005, but a year is a year. It might mean very little, but I think the comparisons will stand. Perhaps we could compare 2002-03 with 2005-06 after 30 June.

If we add the 157,000 international visitors to the 1.4 million domestic day visitors and the two million overnight visitors, we get a total of 3,589,300. That is right. The number is 10 per cent less than a year and a half ago. Why? It is because we have cut the funding. The tourism industry council has done some tracking of the funding, and, when funding is high, visitor numbers go up; when funding is reduced, visitor numbers decline. Tourism is a marketplace and we have to be in there actually selling ourselves. The competition is tough, and unless we are willing to participate we might as well just give it away.

Mr Barr, not having done his homework, ridicules the multiplier effect that people talk about. The tourism industry council says the multiplier is about 11; others have told me it is as high as 19 and some say it is \$7 for every dollar spent. In 2003-03 we spent about \$20 million on tourism. In 2002-03 total tourist expenditure in the ACT was \$1,350 million—\$1.3 billion. That figure breaks down into \$1 billion worth of ACT-produced goods and services at basic values; \$225 million worth of materials brought into the ACT, such as petrol, and \$107 million in indirect taxes to the ACT government. So we spent about \$20 million and got back \$107 million. I would have thought that was a good investment. Tourism funding is an investment.

Do the people of the ACT believe that the government has a role in funding tourism? I have a survey of residents' perceptions of tourism prepared by the University of Canberra. Respondents were asked who they thought should be funding tourism

promotion. They were asked: do you believe that the private sector should fund the promotion and marketing of tourism? Seventy per cent said yes, the private sector should fund tourism; 19 per cent said no, and 10 per cent did not know. Seventy per cent of people thought it would be okay for private tourism to promote itself.

They were also asked: do you believe the ACT government should fund the promotion and marketing of tourism? Eighty-five per cent of people thought it would be a government responsibility because they understand that it creates jobs. In 2002-03 there were 11,500 jobs in ACT tourism, and people responded that the government should expend money on tourism because they saw that the community got a dividend—\$107 million in a financial year to the government in revenue from an investment of \$20 million. That is a pretty good return.

Courtesy of the minister today—good timing, minister—we can see that over the last two years there has been a 10 per cent drop in visitor numbers. That seems to correlate to the 10 per cent drop in government funding over the last two years. But do not trust me. The tourism industry council did the numbers as well and they said that when you reduce spending on the promotion of Canberra as a whole, then you suffer. When spending goes up, then you reap a dividend.

I can say with great confidence that there is no strategy, no foresight, no understanding and no commitment from this government, from this Treasurer or from this tourism minister to broadening the tax base. If the government wants to spend more on the hospitals and more on education, if it wants to put more police on the streets and build infrastructure, it has to broaden the tax base. Clearly, the numbers from the Access Economics report, from the tourism industry council research and from the minister's own report show how it can be achieved.

But, no, the government is going to put its blinkers on and accept this cockeyed report that seems to suggest we spend more than any other jurisdiction. But the report is not comparing apples with apples because, when we talk about tourism funding in the ACT, we are talking about both tourism funding and events funding. They are wrapped in together and it is disingenuous, or incredibly lazy, or potentially deceitful. It should be corrected because it gives the wrong perception. It means that the government is hawking figures that are not right.

The recent Victorian budget contains extra money for tourism and extra money for major events, and that is the way it is done. The combined total is \$72 million, with \$52 million allocated directly to tourism and \$12 million to events. That is how every other jurisdiction does it.

When this combined figure was used, the tourism industry council came out and said the government was wrong. You are absolutely wrong, and you should have the courage to say so. We have had the chat about critical mass: if we put the entire \$3 billion budget into tourism, we would get \$33 billion back. We all know that there is a point where the law of diminishing returns cuts in, but I do not believe that we have reached that point. There is this logic that says that, because Victoria spends \$8 a head, maybe we should be chasing Victoria.

In the last couple of days the Chief Minister has been bollocking everybody who chose Victoria. What do you call it—the jurisdiction of choice? You go jurisdiction picking. The Chief Minister is just as bad. Victoria spends \$8 per head. How many people are there in Victoria, five or six million? That is \$48 million. It is a ridiculous notion to say that, if we spend \$8 a head, with 300,000 people, that is \$2.4 million. We have to have a base of funding—

**Mr Stanhope:** So you want us to adopt their land tax rates but not their tourism spend rates?

**MR SMYTH:** That shows how ignorant you are of business, of investment—

**Mr Stanhope:** You want us to have the same land tax as Victoria but not the same expenditure on tourism. We get it now.

**MR SMYTH:** You have to have a base of funding before it works. Without that we simply would not compete.

**Mr Stanhope:** Humbug!

**MR SMYTH:** Oh, humbug! There we go—humbug! I note again in this summary of what I assume is the Costello report that the answer to all this, of course, is to leave it to the feds; the national institutions are spending enough money anyway. The federal government is spending money on the war memorial, the national gallery, Old Parliament House and the portrait gallery. They are not promoting brand Canberra. They are not tasked with promoting brand Canberra. It is disingenuous to say that, because they are spending in those areas, it is covered.

Apparently the NCA is going to pick up the slack, because that is what the NCA should do. Well, it is not. The NCA has a charter to promote certain parts of the nation's capital; it does not necessarily promote Canberra as such. There is a difference. Over the last couple of years the ACTC and the NCA have worked really well together because they have defined which bit one is going to do and which bit the other is going to do and how they mesh together. It is teamwork. But now half the team has gone. It is like playing rugby without the forwards—we are just not going to put our grunt into this to make it work.

What is the cost? Based on these figures and based on work done by other people in the last couple of days, the prediction is that 1,200 jobs are at risk and something like \$20 million in revenue will be forgone. Have you included the revenue forgone in your budget? I will bet you have not. It is silly for us to stand here tonight to discuss dragging ACTC back into the department, unless, of course, there is an ulterior motive here. The more I look at this budget, it becomes a “let's bury Ted Quinlan's memory” budget because he betrayed the government. Ted Quinlan betrayed the Chief Minister by leaving the government in the lurch. The Chief Minister was not alert, but he was alarmed when he found out, so it is all Ted Quinlan's fault.

The bill to enact the Australian Capital Tourist Corporation was a bill sponsored by Treasurer Quinlan. The Small Business Commission, which is also going, was a



commitment, a promise, by this government in its economic white paper. The life of a Jon Stanhope promise is about two years. The government promised not to close any schools. That promise lasted about 18 months. The tourist corporation and the Small Business Commission both lasted about two years. The promise not to cut school numbers has lasted for about 18 months. It will be interesting to see what else goes in the life of a four-year term of a majority government.

This bitter and arrogant and small-minded Chief Minister is punishing his former colleague Mr Quinlan. This is about getting rid of Ted Quinlan's memory. Apparently the other day there was a chat with industry about what might be in the budget. A list of major events was put up on the board. We will still have Floriade; that is okay. But for the Brindabella Classic, the nation's premier cycle event, there is no money at all from this government this year. It is just not there. It is gone. It did not even last a year. It commenced in December last year; by June it is gone. Fantastic!

Perhaps there is some bitterness about Mr Quinlan in this budget. Mr Quinlan's colleagues, in particular the Chief Minister, who seems to know everything, did not listen to him, and he has been proved right. This is a silly budget. The savings in the budget are cheap and short-sighted.

I suspect that, without an independent body, the tourism industry will not have the ability to react. Let us face it, over the last five or six years the tourism industry across the world, not just in the ACT, has had to react to any number of problems: airline collapses; September 11; SARS and chicken flu. That is why an independent body works best. It is not bureaucratic; it is not tied up; it is not risk adverse. It is there; it is reactive; it is in the marketplace, where it should be.

What do the taxpayers say? Eighty-five per cent of taxpayers believe that the government should fund promotion, marketing and tourism. Clearly, they were happy with the model when they were asked. The government's proposals are silly and short-sighted, and they should be stopped.

Another area to be affected is Healthpact. We are about to destroy Healthpact. That might be Carnell envy, because Healthpact was established in 1995 under the Carnell government, and this government has tried very successfully to wipe out the memory of the former Chief Minister. Just weeks ago the government launched *Healthy Canberra: community stories celebrating 10 years of health promotion*. There is a smiley picture of Mr Corbell. He is saying what a wonderful job Healthpact has done over 10 years, what a wonderful impact it has had on people's health and how the government looks forward to working with it in the future.

Minister Gallagher launched the book, with the current chair and former chairs of Healthpact attending. These people are all volunteers who care about the health of the people of the ACT. They donate their time to Healthpact. They do not do this for fun. They do it because they care. But this government has now said, "Too bad, too sad. We will do it in the department. We can save a few bucks." It is an incredibly short-sighted approach at a time when one-third of all presentations to hospitals are chronic illness sufferers, people who smoke, have heart conditions, diabetes or asthma or who are obese. The department will run the agenda at the behest of the minister, rather than being in touch with the community. Independence will go; the ability to react will go.

There is an enormous network of support for Healthpact. The government even launched a book about it. Mr Corbell said that it has done a wonderful job. This bill should be defeated.

**MRS DUNNE** (Ginninderra) (9.15): I am going to put a slightly different slant on the debate. Most of my colleagues have criticised the government—and deservedly so—for very bad administrative decisions, but tonight, in addition to congratulating my colleagues on being so on the ball in relation to the administration of really important things like the emergency services authority, I want to congratulate the government on its decision to do away with the ACT Planning and Land Council.

The planning and land council was an entirely ill-thought-out proposal. With the changes that Mr Seselja spoke about earlier today in the LDA, I think that what we are seeing is the unravelling of the ill-thought-out 2002 “vision” that Mr Corbell had for ACTPLA. I hope that we will see much more of that unravelling in the very near future. I congratulate the government on eventually coming to its senses and abolishing the planning and land council.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Arts, Acting Minister for the Territory and Municipal Services and Acting Minister for Multicultural Affairs) (9.17): I thank members for their contributions to the debate. Once again, I acknowledge the very short time that members have had available to them to consider this legislation. I regret that members have not had a particularly long time to look at it and digest it. I acknowledge the comments and the criticisms that have been made in relation to that and the difficulty that has been presented.

This is not unusual in a budget context. It has been a feature of previous budgets; indeed, it was a feature of the circumstance in which we, in opposition, found ourselves when the Liberal Party, then in government, presented its budgets and proceeded immediately, almost invariably in budget week, with legislation in exactly the same way we have. I am sure there is an understanding amongst all members, certainly those that have been here under previous governments, that this is always a feature of budget week in the Assembly.

My colleagues, in speaking on ACTION and tourism, went very much to the reasons and the rationale behind the decisions that the government has taken in this bill. At the end of the day, it is about outputs and outcomes. It is about efficiencies, about reducing administration; it is about achieving the best possible result that we can for the expenditure of the taxpayers’ dollar.

Healthpact grants are being retained at their existing significant level. It should be understood, however, that a very significant level of administrative support backed Healthpact. Healthpact and its board are a group of people with very significant experience and, undoubtedly, a deep commitment to preventative health—the health pact with the community. The government will remain in touch and involved with the community in relation to all of its programs.

But the administrative level and degree of support behind Healthpact was significant. It employed somewhere in the order of eight full-time equivalent administrative officers to serve the organisation. Eight staff positions were directed at supporting Healthpact. We believe we can deliver the Healthpact program more efficiently than that with a new rejigged, redirected arrangement, with staff centralised to support the delivery of a multiplicity of grant schemes.

We are developing a grants portal. We are restricting grants to directed, focused schemes, and this move has been applauded across the community sector. Funding for the grants scheme is essentially being retained across the board. In relation to Healthpact, it has been retained absolutely. There is no reduction in the availability of grants. A dozen or so schemes have accumulated over the years in relation to Healthpact and other grant schemes. The Liberals initiated many of them; we initiated some new ones.

Reducing the multiplicity of access to grants will create enormous efficiencies in delivery. It will assure some centrality. It will reduce the enormous administrative burden that organisations were beginning to face in relation to the constant round of applications for grants. There will now be two streams of grants, and they will be centrally administered. It is just a movement. Healthpact has existed for 10 years. A new structure has been designed and will be implemented. It will be more efficient and will allow more funds to be directed at outputs across the board. It is important that we do not allow existing mechanisms and structures to persist forever without this sort of review and renewal. That applies across the board.

I will not dwell on tourism, but the tourism commission was also reasonably heavy in terms of its administration. From memory, somewhere in the order of 16 per cent of all tourism expenditure was devoted to supporting the structure, the organisation. It was not—

**Mr Mulcahy:** It is not an argument for abolishing it, though.

**MR STANHOPE:** No, but it is an argument for looking anew, with fresh eyes, and seeking efficiencies. It is about ensuring outputs and outcomes. It is about getting better value for money. It is an argument that applies to every one of the decisions that has been taken. Sixteen per cent of the entire tourism budget was devoted to supporting the Australian Capital Tourism Corporation. We believe we can do better.

I am taking this from memory, but I believe that Healthpact was supported by eight full-time equivalent staff. We believe we can do better, and we will do better. We are not reducing the grants. We are reducing the administrative overheads. It is a mantra that I hear constantly from the shadow Treasurer. I do not understand how the shadow Treasurer, in the context of his comments over the last 18 months, could possibly argue against a proposal which has, at its heart, efficiencies and the reduction of administrative overheads. One grant scheme, Healthpact, was supported by up to eight full-time equivalent staff. For Mr Mulcahy to argue against that, in the context of my very clear memory of things that he said in relation to these issues—

**Mr Barr:** That was generally speaking, though, Chief Minister, not specifically.

**MR STANHOPE:** He was being general, then. This was not in a budget context. The other aspect of this, too, is that today has been the first day of debate on the budget. For the last three days, the constant cry, the mantra, has been: out of control spending, wasting the legacy, the GST and the GST windfall. We heard that yesterday and the day before. Today—and it will be recorded in *Hansard*—the cry has been: you cannot cut that; you cannot change that; you have got to increase funding here; you must maintain funding in tourism expenditure; you cannot cut any support to business; you cannot remove the eight staff that support Healthpact; you have got to maintain funding here.

Not once have I heard a single speaker from the opposition answer the question: where is the money coming from? Today we have had the first debates on specific aspects of the budget dealing with a new regime and determination to find efficiencies. All we have heard today is: absolute waste; you must find savings; you have to create efficiencies; why have you not been doing it; do not dare reduce tourism expenditure by a cent; maintain all funding for business; ensure that business remains on the public teat to the greatest extent possible; reduce your land taxes to Victorian rates; reduce your stamp duty—

*Mr Seselja interjecting—*

*Mr Barr interjecting—*

**MR SPEAKER:** Order! Mr Barr and Mr Seselja, the Chief Minister has the floor.

**MR STANHOPE:** Mr Smyth is out there banging on about comparing the tourism spend with other jurisdictions. It seems that Victoria may have lifted its per capita expenditure on tourism from \$8.53 to \$9. We expend at the rate of \$55 per capita. We have reduced it, but we have not reduced it to anywhere near to \$8 per capita. It is still way above that. We hear the cry: let us reduce our business expenses, stamp duty and land tax to Victorian rates.

Let us reduce everything, then. Should we shop around? Should we find another jurisdiction where the level of tourism expenditure is more simple than here? Tasmania spends more than we do; essentially it is all they have. So when it comes to comparing expenditure on tourism with other states, pick Tasmania. It is one of two places in Australia that spend more than we do. It is typical. When it comes to comparing expenditure on stamp duty and land tax, pick Victoria. The great irony at the breakfast yesterday and the applause for the Liberal Party—

*Government members interjecting—*

**MR STANHOPE:** That is right. The applause was led by the six members of the Liberal Party that were actually in the audience.

*Opposition members interjecting—*

**MR STANHOPE:** I am not paranoid. I am not stupid. I am not that gullible.

**MR SPEAKER:** Order! Members of the opposition will cease interjecting. Chief Minister, direct your comments through the chair, please.

**MR STANHOPE:** Thank you, Mr Speaker. The breakfast has been mentioned in the debate. The left-hand side of the audience was from the property sector within the territory. The right-hand side of the audience was from the—

**Mr Seselja:** He's very upset about the caning he got.

**MR STANHOPE:** I think it is quite amusing. The audience was fairly well split, with 50 per cent supporting tourism and associated industries and the other 50 per cent supporting property. The property end of the breakfast was demanding—I must say I am sorry I was not quick enough on my feet—that we actually adopt the Victorian rate of land tax and stamp duty. Of course, the other side of the building was demanding, that we adopt not the Victorian standard of tourism expenditure—because it is as low as billyo, although not as low as New South Wales—but business concessions. It was, I think, an interesting conjunction of suggestions from within the one room with business and different constituencies scrabbling for the public teat that provides the greatest support to their particular—

**Mr Barr:** Business welfare.

**MR STANHOPE:** Yes, business welfare, that part of the business teat. I must say that in every meeting I have had with those esteemed leaders of business from the territory, they actually salivated at the prospect of workers' superannuation being cut. Then, when there are fairly insignificant cuts in the scheme of things to tourism and to business, there is absolute outrage. The very same individuals who wince at the possible price impact of anything that might be asked of them for the general public good visibly salivate at the prospect of hardship and pain in the community.

To be fair, self-interest is something that we are all very aware of, but let us actually put it in the context of all those different constituencies. We all understand self-interest. We know it when we see it. We understand it and we respect it, and we see it here tonight. Over the last two days the opposition has berated the government: you have spent too much; do not spend any more; there are too many public servants; the public service is bloated and inefficient; you have sought no efficiencies.

Today we are debating the first budget legislation outcomes. The response is: do not dare cut tourism; do not dare cut business expenditure; do not dare reduce the number of public servants supporting Healthpact; do not create efficiencies in relation to the tourism corporation; do not abolish ACTION; keep all those people there; keep the inefficiencies running; do not do anything; leave it all as it is. You are hypocrites and humbugs.

**MR SPEAKER:** Withdraw the word "hypocrites", Chief Minister.

**MR STANHOPE:** I beg your pardon, Mr Speaker—I beg everybody's pardon. I withdraw the word "hypocrites".

**MR SPEAKER:** Thank you.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 8		Noes 7	
Mr Barr	Mr Gentleman	Mrs Dunne	Mr Seselja
Mr Berry	Mr Hargreaves	Dr Foskey	Mr Smyth
Mr Corbell	Ms Porter	Mr Mulcahy	Mr Stefaniak
Ms Gallagher	Mr Stanhope	Mr Pratt	

Question so resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Clause 1 agreed to.

Clause 2.

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (9.35): I move amendment No 1 circulated in my name [*see schedule 1 at page 2037*].

I wish to speak briefly to the amendment. Some of my colleagues probably will want to speak on a couple of other matters, but I wish to make some general comments in relation to all the amendments. This amendment seeks to omit a provision whereby the minister can give notice that the section repealing the Australian Capital Tourism Act has commenced. Basically, my amendments, to save me repeating myself, delete all references to three authorities—the Emergency Services Authority, the Australian Capital Tourism Corporation and the ACT Health Promotion Authority. Basically, all these amendments relate to that. I think that we will be dealing with amendments 1 to 6 separately and 4 and 5 together. The rest are consequential upon those. Effectively, because some are a bit technical, the amendments relate to deleting all references to those three bodies, which we think should not be included in the government's regime.

**DR FOSKEY** (Molonglo) (9.37): My speech on amendment No 1 will apply to my approach to the whole suite of amendments. I am inclined to support those amendments. The reason is that the more we look at this budget and the more we get a chance, after a week spent with our heads in the budget, to look at this legislation, the more it seems to me that we are going at it with indecent haste. I will be supporting Mr Stefaniak's amendments because they would at least buy some time if they were successful.

It has been said that this budget is the most far-reaching budget since self-government. I think that these structural changes, all happening at once, are the most far-reaching changes that have happened in the history of self-government, not that I am an expert on

that. They are certainly more far-reaching than I have had a chance to have a good look at. I heard Mr Barr give his economics 1 approach to the management of the public service. It may well be shared by more people in this place. I know that it is a prevailing view, but it seems to me that the logical outcome and progression of a view like that is that we might as well govern this place by web site. Anyway, I am just putting that on the record.

Mr Stefaniak's amendments do not cover the ACTION Authority, for instance. I have not had a chance to consult on whether it is a good thing to get rid of it. Maybe it should be included in the amendments; I do not know. I do not think that Mr Stefaniak has had a chance to look at all this stuff either, but at least it is a recognition that there is a lot of very deep stuff here that is going to have profound impacts on people's lives. I am just becoming aware of the number of jobs involved and the way, for instance, the environment department is going to be organised. It is literally disappearing. How people will do their jobs under these circumstances just needs to have more of our attention than it is getting here tonight.

Amendment negatived.

Clause 2 agreed to.

Clause 3 agreed to.

Clause 4.

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (9.40): I move amendment No 2 circulated in my name [*see schedule 1 at page 2037*].

As I said, there are three main areas in this regard. This amendment omits a section repealing the Australian Capital Tourism Act 1997. Briefly, picking up something which Dr Foskey said, which my colleague Mr Mulcahy said in relation to another bill and which the Chief Minister said, yes, there are quite often bills which come in with budget papers, but I do not think I can recall from all my years in this Assembly those bills being more complex than the revenue bill that we have dealt with and this bill, which is a major bill and which we have only had 48 hours to look at. That is a quite significant fact.

I thank Dr Foskey for mentioning that. I think it is worthy of note here that members have only been given a particular amount of time. I can recall situations in the past where these types of bills would be sent to an estimates committee for a proper going-over. If the government ever does anything like this again, I think that that would be a very sensible step to take. I certainly hope that we will not have again a situation where the Assembly, in a very busy period during the budget sittings of three days, has to consider bills of the complexity of this one in such a short time.

**MR MULCAHY** (Molonglo) (9.41): I would like to say a few words in relation to this amendment, both to make an observation in relation to the Chief Minister's comments and to endorse indeed many of the remarks that were made by Mr Smyth in relation to the tourism industry. Talking about this matter in a broader sense, the concern which Mr Stefaniak has alluded to is one about which I feel quite strongly. What we have been

presented with here, on 48 hours notice, is a complete and radical restructuring of a range of government agencies and organisations and an absence of compelling argument as to why these changes cannot be given proper consideration.

I know that the Chief Minister said that he is sorry about that and sorry about the pressure it causes, but the troubling thing is that we should be making decisions in this Assembly based on the best available information. They should be considered decisions. These decisions will affect industry, they will affect lives and they will affect sporting groups, all sorts of interests, and we ought to be in a position where we can consult appropriately with the people who elect us here. We seem to be moving towards almost a dictatorship, where there is a lack of consultation, where there is a lack of regard for interest groups out there and where anyone who is critical is immediately categorised as a political opponent.

I do not have an issue with improvement in efficiency. I have spoken of it repeatedly since being elected to the Assembly. I have argued strongly against poorly managed operations within the territory, although I think that mostly people do a reasonable job in terms of the way they run things. I think that the government has not had its eye on the ball in a number of key areas. I do not think anyone on this side of the Assembly would take issue with improvements to the way things are run.

If the Chief Minister were to reflect on, or review, *Hansard* concerning some of the discussions in estimates or annual reports hearings with regard to tourism, he would certainly notice that I have been quite critical in terms of some areas of management. I have commented in a less than supportive view about the operation in Singapore. I have spoken about the failure to capitalise on the international backpacker markets which we ought to be getting. None of those things has met with the appropriate response.

If the Chief Minister had come to this Assembly and said that the government is not of the view that the job is being done as well as it should be and it is going to overhaul the way it operates, there would not be an argument, certainly from my perspective. But it seems to me that we are just throwing the baby out with the bathwater in this case. We are taking the position of saying, "We are going to make it more efficient, so we are going to chop this whole outfit and run it as a unit back within a department." This approach is dated, particularly in terms of areas such as tourism. It is an approach that typified governments in earlier days when they really did not quite know what tourism was about. Governments have moved on and realised that it requires professional marketing operations and requires people with expertise on boards.

I looked at the quarterly report that was circulated earlier today. I do not know all the directors of Australian Capital Tourism, but I know that a number of them are very skilled people, representing a range of backgrounds and experiences, and obviously are able to lend their expertise to the marketing efforts of this jurisdiction. The tragedy in just taking this decision without adequate consultation, without due regard for the needs of the industry, is that it is being presented in this Assembly as a legislative move that is all about, in the words of the Chief Minister, taking business off the public teat.

Mr Speaker, I am really disappointed, as I said yesterday morning at the breakfast function, that the Chief Minister categorises the people in tourism as simply living off the fat of the land and having the public purse used to prop up their interests. The fact of



the matter is that the tourism industry is the second largest private sector employer in this territory and that a very large number of our young people and our women generally secure vital income from the industry.

Tourism is one industry where women with children are able to position themselves in employment that will guarantee that they have the opportunity to work and fulfil obligations and maintain civilised home environments. It is one industry that has a disproportionate number of women involved in senior management and general manager positions. There are female general managers running substantial hotels in this city and I am amazed that Ms Gallagher, who has responsibility for women's issues, has taken no interest in this reform or the abolition of this authority. It is an industry with which many in this chamber have associations, including, of course, you, Mr Speaker, through family members. I am therefore puzzled at the absolute lack of appreciation of the important role that tourism has played in terms of providing income for so many different subsets within the ACT community.

Just about every member here has or has had university-age children. There is hardly one that I know of that has not generated most of the income that has put them through university from work they have had in the hospitality sector. The Chief Minister does not seem to appreciate that this is a sector that is very quick to respond to changes in demand. There are other industries that slow down or have more of a long-term contract basis which influences the employment outcomes or have a very heavy reliance on government contracts and can predict their future. But what we find with tourism is that the industry responds both positively and negatively very quickly in terms of demand and in terms of employment needs.

For example, if there is a fall-off in tourism numbers, hotels will very quickly reduce their work force because they cannot carry the expense of their overheads if they have fewer guests in their hotels. Restaurants cut back on staff if they do not have the required demand for meals through the tourism sector. Tourism is an industry that on the positive side, with some encouragement and support and well-focused efforts, can create a large amount of employment for young people, for women generally and for others who are seeking part-time, full-time or casual employment and can react very quickly to upturns in demand and as a consequence of well-placed marketing.

I do not think any agency of government should be immune from rigorous scrutiny by government, opposition or this Assembly, but I do not believe that you tackle inefficiency, if that has been identified, simply by rashly throwing the whole arrangement out and saying, "Bad luck; everything about the organisation is no good and we will abolish it." Let me illustrate. Several years ago we had the Masters Games in Canberra and in the order of, I think, 20,000 people came to this city. I talked to a few cab drivers that week and they said that it produced more income than any other week of the year. So there are people such as cabbies who rely very heavily on the tourism dollar.

**Mr Stefaniak:** A \$21 million economic impact.

**MR MULCAHY:** An incredible impact on the wellbeing of people here. You see it in the restaurants that get busy. You see it in the hotels that become busy.

**Mr Corbell:** Do you think the tourism industry is going to cease because we do not have a tourism corporation?

**MR MULCAHY:** Of course, people like Mr Corbell do not understand that that demand has to be supported by strong marketing interstate directed particularly at target groups. Mr Speaker, to take up the frivolous interjection from Mr Corbell, the industry will not cease if there is no marketing dollars, but we will see a decline in activity from the government abandoning the field and, effectively, sending a message to the rest of Australia that we do not think tourism is important enough to have its own authority running it and we do not think it is important enough to put skilled people on the board of our tourism body, but rather we will assign the whole thing to a group of employees in a government department.

Tourism is a specialised and highly competitive field, and we are missing out on opportunities that we should be, in fact, exploiting. In the convention market in particular, the most lucrative part of the tourism industry, we are way behind the eight ball. It is easy for people to say that we are not Sydney and we are not the Gold Coast, but smaller areas such as Townsville and places such as Adelaide that do not enjoy lots of natural assets have large numbers of people coming in. The Adelaide convention centre is full virtually every single week of the year, booked out, because they have been clever with their marketing and they have created massive employment.

**MR SPEAKER:** Order! The member's time has expired.

**MR MULCAHY:** I would like to take my second 10 minutes at this point, Mr Speaker. Places such as South Australia have shown how, no matter what natural advantages you may or may not have, if you get your marketing right you can slaughter the convention market and do exceptionally well. If the South Australian tourist commission were packed up and put back into a government department, you would see very quickly the most successful convention centre in Australia in my view, the one in South Australia, start to slide.

But the government of South Australia is smarter. The Rann government in South Australia, to its credit, has enough sense to know that a state that does not naturally get tourists because of its geographic position or because it has iconic locations, such as New South Wales with the Sydney Opera House, Central Australia and the reef, needs to stimulate interest in tourism there because it flows through to the economy there. It has created employment for their young people, it is bringing taxes into that state and it is positioning them on the world map. The cycling contest in South Australia has given that state world positioning, but that has been done only through the focus marketing that has been enjoyed. It is regrettable that the Chief Minister and Treasurer has lost interest and left the chamber as we discuss this important area.

**Mr Corbell:** That is a cheap shot.

**MR MULCAHY:** It is not a cheap shot, because we are talking about the wellbeing of people in the industry in Canberra whose interests have been quickly dismissed by abolishing the one body that can help support and work with the industry to ensure that we have employment.

I want to talk also about the fanciful idea that the National Capital Authority is going to be the panacea for all ills and will take over marketing of the national capital. The NCA spends about \$100,000 a year on marketing Canberra as a tourist destination. As Mr Smyth pointed out, while there was some cooperation between the two organisations, it is a struggle to see any sense or issues of duplication that would arise between the work of Australian Capital Tourism in attracting tourists to Canberra from around the world through extensive marketing campaigns and the NCA's use of its very limited marketing budget.

Similarly, individual attractions spend money promoting themselves as destinations, not the ACT. The comparison is that the different attractions are fighting for a larger piece of the tourism pie. They are not about trying to increase the tourism pie overall. One possible exception may be the National Gallery of Australia. But, by and large, people are competing for a share of the marketing business. The Australian Capital Tourism Corporation was created to increase the size of the pie and it has sought to increase the number of visitors to Canberra so that all tourist destinations would benefit.

Successive governments of this territory have understood that tourism is important. It was a turn for the worse, unfortunately, when Mr Quinlan took over that role. I think that the first speech he gave as tourism minister is legendary now. He demonstrated basically a complete lack of interest in the industry. It was talked about for months and months afterwards. Sadly, the tenor in which he leapt out into tourism is being further reflected today by this rushed measure to get rid of the tourism corporation.

As I said, the benefits of tourism are substantial. In the government paper which was cited earlier, I believe, on the future economic and financial outlook of the ACT, Mr Stanhope has argued that we spend so much more than the national average. He uses that to justify cuts in tourism. Of course, national averages are good when it comes to attacking tourism, but they are not so good when it comes to how the hospital should perform or the average number of police per head of population that the ACT should have. I recall being attacked in the election campaign because I referred to per capita needs in health, education and policing. I was told then, "They do not apply. They are not good for the ACT and we should not be working on that." But when it comes to tossing out the focus on tourism, suddenly per capita becomes a new measure. I find a remarkable inconsistency in the Chief Minister's approach in this area.

A significant amount of the tourism budget is spent on major events such as Floriade and the Subaru Rally of Canberra. By doing these comparisons, as Mr Smyth pointed out, we have, in fact, seen where they have compared the spending here with that of other states as putting in and putting out events and not comparing like with like. Even when you compare like with like, as the Tasmanian government has worked out, if you sit back and do everything on a per capita basis you might as well close up shop because the basis on which you are marketing is such a competitive area, and it is competitive because it is becoming the world's biggest industry.

Even the Americans, who have been natural recipients of large amounts of tourism, have come to realise at the White House that they have to invest substantial amounts in tourism or they are going to miss out. They have had a nine per cent fall in tourism since the September 11 saga as they have had to bring in all the fairly unpleasant security

measures at the borders. But what they have realised is that they have to get their share of the action. Canberra, the ACT, has to maintain its share of the action if we are going to improve our economy. There are massive markets there to be tapped through China, but the other states will not sit back.

I had the privilege, alongside Mr Hargreaves, of attending the biotech conference in Chicago a few weeks ago. We saw there the massive competitive influence in that one area where we want to be a leader. Not only other countries but also states of the United States had stands bigger than the Australian exhibition and, perched right in the middle, was the ACT. He agreed with me that for us to be successful in this area of technology where potentially we could do some great things and where, to the government's credit, they are partnering both UC and ANU, we have to find a niche; we have to have a unique selling proposition that says, "The reason you should come to Canberra is this." We need to develop partnerships, probably with countries such as New Zealand which are also small in the scheme of things.

Similarly in tourism, I acknowledge that we cannot be competitive with the budget of, say, New South Wales or Queensland, but we need to be clever. We need to market it so that we, as a community, can reap the benefits of the tourist dollar. We are not even getting our fair share of the tourist dollar. I am, frankly, a little sceptical of the domestic visitor numbers in this book because I do not think that they are as promising as they look there. We as a territory, if we are going to preserve employment for our young people, if we are going to get the recognition we need as the capital of a nation and which we do not get, need to use the tourism dollars sensibly, manage them well and ensure that we have professional people and a professional board to take that message to the rest of Australia and to the world.

The economic stimulus from tourism is phenomenal. Work that Access Economics conducted for their 2004 report on the ACT tourism industry left no doubt about the economic benefits of tourism, including direct taxation revenue for this government, which far outweigh the investment in promotion. That suggests that the government's decision to save a few million dollars by cutting funding to tourism was, in fact, a short-sighted decision.

Apparently Mr Costello—I am referring to Michael Costello—is the guru. He cannot be questioned. He comes in here, throws everything out and says, "This has to happen and don't allow it to be questioned too long." I do not think that Mr Costello is necessarily an expert on everything in our society, in our community and in the administration of government. For that reason, we should have had this proposal submitted through the appropriate review committee so that all 17 members of the Assembly could be brought to the table and we could get clear justification of why the government is rushing all these changes through the structure.

As I said at the outset, I take exception to and challenge the Chief Minister on his view that we do not believe in efficiency. Of course we believe in efficiency in government. We have watched the health system decline under this government and we know that much could be achieved there simply through improvements in efficiency.

**Mr Corbell:** You are just not prepared to support any savings measures.

**MR MULCAHY:** Of course, things cannot be improved, because Mr Corbell is impervious to change and will not listen to any suggested improvements. Millions of dollars have been generated by tourism. As mentioned earlier by Mr Smyth, a visitor spends on average some \$290 on a visit. Simple maths dictates that if 200,000 fewer people come to the territory, the ACT will be deprived of \$59 million. The tragedy is that the Chief Minister says, “That is just out of business. Only the businesspeople would benefit from the \$59 million.” That shows a complete lack of understanding of the economic process. He fails to understand that, if business is buoyant, the economy is buoyant and people are employed. None of these things seems to be appreciated in this rather simplistic approach to the tourism industry. I do not know what the tourism industry has done to have such a proposition inflicted on it. It tends to be a bit of a heartland for the Labor Party, but I think that they have managed to lose the friends that they had.

**MR SMYTH (Brindabella) (10.02):** Mr Speaker, the Chief Minister threw down the challenge earlier in saying that we are always comparing ourselves with Victoria. I would like to remind him that it was Mr Barr who brought up Victoria and was responded to.

**Mr Stefaniak:** He is not here.

**MR SMYTH:** Yes, I note that the Chief Minister is not here and I am tempted to use the latest tourism slogan of the federal government—“where the bloody hell are you?”—because this is a very important issue. To pack up his bongos and hide upstairs, to bolt, to run away, to leave the scene of the crime show exactly what the Chief Minister thinks of the tourism industry. He just does not care. I suspect that it is from ignorance because he does not understand how important tourism is to the ACT.

Let us go to the other end of the scale. Mr Barr brought up Victoria and the figure of \$8 a head. Let’s go to the Northern Territory. The Northern Territory spends what looks like about \$185 per capita from this chart that we are taking from the summary document of the Costello functional review. Offhand, the population of the Northern Territory is about 201,767 at 30 June 2005—I thank the clerks for their work in getting me that figure—and 201,767 times \$185 is about \$37 million. They spend double what we spend on tourism. Why? It is because they get the return from it. They understand the importance of it and they are quite willing to put out the call “where the bloody hell are you?” because they know that it brings prosperity and revenue to the government and promotes where they live and that that is good because it provides jobs.

**Mr Barr:** You will never, never know.

**MR SMYTH:** You will never, never know because you will never, never go, Mr Barr; I am quite sure that is true. It is interesting to go to the other extreme. The small jurisdictions have to spend more to compete. It is unfortunate, but that is the reality. Which state is the second biggest spender? It is Tasmania, which has a population of 450,000. But it has to overcome another hurdle, not just the one of getting people to Australia but of getting them across from the mainland to Tasmania. Tasmania understands the difficulties and promotes itself to overcome them.

Wherever you look at these comparisons, you will find reasons for the numbers. The problem for us is that we have a small population, which inflates the figure that you have to spend just to get to the critical mass level. But you have to do that if you want to run campaigns, if you want them to be successful and if you want the dividend, and the dividend is the contribution to gross domestic product, the dividend is the consumption of locally produced goods and the dividend is the jobs, about 11,300 of them in 2003, that the ACT benefits from. How many of us started work or have a daughter, a son, a nephew, a niece or a cousin whose first job was as a barman or barmaid or something to do with bussing tables and making coffee? Certainly both of my daughters did and it was good for them. They worked hard and got a benefit from it and we as a community get a benefit from it.

The second point is that it is illogical to cut tourism and destroy the independence of the tourism body when we are about to spend \$30 million on upgrading the National Convention Centre. We are going to upgrade the convention centre, but we are not going to tell anybody. We are actually going to cut the funding. We are going to let fewer people know that we have actually got a better facility. I compliment the government on upgrading the facility. I have not done it yet as I am giving him time to settle in, but I will seek a meeting with the minister to talk about the convention centre because it is incredibly important that we get it right as well. But it is illogical for us to be cutting our funding at a time when the convention industry is looking for different locations. That must affect the convention centre and it must affect the general perception of Canberra. (*Quorum formed.*) That is really quite illogical when you are going to upgrade the convention centre, in particular the lead time.

There was a top-secret meeting one weekend recently to which no government minister turned up and no government member turned up. Nobody gave a speech on behalf of the government, but they sent Mr Hawkins to give a speech. I went. I always go. It is a fabulous weekend. You are talking to organisations that are working on their conferences for 2008, 2009, 2010, 2011 and 2012 and, if you cut the funding now, you will be having the effect over the next four or five years of not being able to compete. To have the ability in the short term, to get people here quickly, you have to do it at a discounted rate or you have to cut such special deals that you lose the economic benefit. That is the next problem with what the government is doing now.

The independence of the ACTC allows it to react to conditions, whether they be the Asian meltdown, the collapse of Ansett, the September 11 incident, SARS, international terrorism or whatever. You have to be flexible and, let's face it, that flexibility is not present in departments. We are going to create a larger and larger gap between what we are doing so that we will have to compete harder and harder and spend more and more to catch up.

Let's go back to the Northern Territory. Yes, the Northern Territory is the largest spender per capita on tourism. Guess what it did in its last budget? It upped it again. The Northern Territory put more money into it; it did not cut it back. The Northern Territory realised that the market is getting more and more mature and the competition is getting harder and harder and it intends to compete, unlike our Chief Minister, who has given up the ghost on this one.

Mr Mulcahy reminded us of the former Treasurer's first speech on tourism. I was at that lunch and it was very interesting. There was a room full of tourism people at the University of Canberra, and Ted Quinlan basically said, "I have talked to you all. Don't bother knocking because there ain't no more money and there never will be." It is a shame that he took that attitude. It really stumped people that the government did not understand exactly how tourism works and the effect of tourism. That means that we will have to work harder.

With the \$4.5 million cut over two years, by the time we get into a position where we will want to catch up it will be 2013, and what is to happen in 2013? The centenary of Canberra is to be celebrated then. The Chief Minister is having forums and competitions, seeking ideas and doing all sorts of other things to promote how well we are going to do come 2013, but if he wants them to work in 2013 he will have to start now. I recognise that there is \$200,000 in the budget for that, but that is all there is. We have talked about Alberta spending \$600 million. There is no allocation anywhere near what is required for the scope of what the Chief Minister wants to do, and there will not be because we are not broadening the tax base. Cutting tourism does not work.

The excuse seems to be that we lack efficiency, that there are too many overheads and too many staff. I do not know of any organisation that has been drawn back into a bureaucracy, a public service of any kind, that has got better for the drawing back. We only have to look at the functional review outcomes in Western Australia. Eric Ripper, the Treasurer of Western Australia, was reported in the paper the other day as saying "Yes, it has been about five years and, yes, we have spent a whole lot more money than we expected, but we will get some dividends next year." They were meant to get dividends in the first year. I think they were meant to have something like an \$84 million dividend over the first four years. They have not garnered a cent, and my prediction is that we will not garner a cent in efficiency from this change, simply because things do not work that way.

The industry is different. It is interesting that, if there are problems in the organisation itself, these problems have emerged since Treasurer Quinlan has left. It is quite amazing how badly it has gone in the last two months. Mr Barr, is that your fault? When tourism minister Quinlan was here, everything was fantastic. Mr Quinlan used to paint a picture as to how fantastic this organisation was, how the numbers were on the up. Mr Barr takes over and suddenly it is a cot case. Of course it is not Mr Barr's fault, but it is an excuse being put by the Chief Minister to justify what he knows is a bad decision.

The Chief Minister shows his ignorance and shows his lack of courtesy to the industry by abandoning his seat. The bill is his bill as Treasurer. He has disappeared from the place. He has got no interest in it. He has dropped his act. He apologised briefly for the lack of time and lack of consultation. If he were sincere in that regret, he would allow us to have the opportunity to send this bill to a committee. I will put the challenge to the Chief Minister. If he were sincere about the regret and the insult to the Assembly of dropping this bill on Tuesday and debating it here at 10.10 on Thursday night, he would have the courtesy and the decency to come down here and move a motion under standing order 174 to have it sent off to the estimates committee. There is the challenge, Chief Minister. I am sure that you will not take it up.

**MR TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Order! The member's time has expired.

**MR SMYTH:** I will take my second 10 minutes. There is the challenge for the Chief Minister. Come back to the battlefield, sit down and do so when we finish the amendments. Oh, we have already missed the opportunity! My apologies, Chief Minister. You have already got away with it. That is a shame, an absolute shame, because these things do need to be discussed and I think that organisations need an opportunity to defend themselves. These people find out on Tuesday that they are facing execution, the death squad, and they are put up against the wall blindfolded at 10.12 on Thursday night. "Regret" is an interesting word. You regret that you had to do that, but you did it anyway. If you had any sense of decency or courtesy, you would have sent it off to a committee, but such is life.

What the government will create with this change when it is linked with particularly the cuts to the business community is an impression that it is a government that is not interested in expanding its tax base. I cannot for the life of me understand why you would not be interested in doing that. You complain that you do not have enough money to spend on services and would spend more if you could, but there are things being done in this budget that defy logic. That is because the government no longer has a strategic plan. The economic white paper was lauded by the government. Perhaps it was Ted Quinlan's creation and therefore has to be destroyed and all memory erased. I wonder whether the government will be airbrushing Mr Quinlan out of some of the Assembly photos and out of the Labor Party hierarchy and its history because he has betrayed the Chief Minister by leaving the government in the lurch. Perhaps the Treasurer betrayed Mr Quinlan by not taking his advice much earlier.

**Mr Stefaniak:** Comrade who?

**MR SMYTH:** Mr Stefaniak is probably right; he will probably end up being "comrade who?" I am sure that Mr Quinlan is proud of his achievements. Clearly the Chief Minister, unfortunately, does not understand. Perhaps the tourism minister will take up the challenge before we pass this bill and adjourn debate on it. Maybe he will take up the challenge of adjourning the debate on it and going off and talking to the industry. Minister, have you spoken to the industry in the last two days about what this means? Have you sat around a table with all of them?

**Mr Barr:** Yes, at the chamber of commerce thing on Tuesday night.

**MR SMYTH:** I know you briefed them for an hour, but have you sat down and talked to them? Have you gone out and talked to the ordinary individuals that run small businesses that depend on tourism, because of the multiplier effect there? If you have not got a copy of your report, I can lend you a copy if you want to read it. There it is: the December 2004 report of Access Economics on the economic contribution of tourism to the ACT. It really is worth a read. This is so short-sighted. This is so silly. This is drawing back on an area where you can actually make some money.

If your fear is of actually making money, you need to get over it. It is not a bad thing to make money because you can then channel it into disabilities, child protection,



emergency services, hospitals, education and police, but you have to make it to spend it. Lumbering ordinary taxpayers with more and more of a burden is not going to make us the attractive community that people might think that they would move to.

We are spending money in south-west Sydney on getting people to come and join us. The people of south-west Sydney would have read the *Daily Telegraph* this morning and would have read about “Stanhope-less, the economic vandal whose disgraced government has declared war on Canberra”. I suspect that anybody reading about that in Sydney today would be saying, “Gee, what is going on down there? They are spending money up here on getting us to go and live with them because they are really good and they are closing down a quarter of their schools, cutting tourism, cutting business and getting rid of all their statutory authorities. The vandal whose disgraced government has declared war on Canberra.”

What we have in this budget is an illogical approach to business. It is illogical because the cuts are short-sighted and, like all short-sighted cuts, they will have to be made up. When you start to play catch-up in these games, you have to spend more and more, instead of consistently getting expenditure at the right level. We have spent a couple of years on getting the Canberra brand—“see yourself in Canberra”—up in the public’s mind. I understand that the government has a report on that. I would love to see a copy of the report to see whether it is working. I might be able to get that somewhere else. We have a brand and we have been promoting it. We are now just going to turn the heat down. The pot will go off the boil.

The effect of that will be lost revenue to the government, so your ability to balance your books will disappear. You will lose the flow-on effect on young people in particular starting out. As it is an industry that employs an extraordinarily high percentage of women, you will disadvantage the women of the ACT. It will have a flow-on effect on the local providers of services who hang very much off the hospitality and tourism industries for their livelihoods and the government will lose revenue.

I do not see any wins in this change at all. There is no logic to it. It defies logic that we are taking these steps. To top it all off, we are actually going to destroy the ACTC. I suspect that we will be the only jurisdiction in this country which does not have an independent, board-run tourism body that is able to react. That is an indictment of the Stanhope government. If they think that that is the way forward, they are fooling themselves. They are injuring the image, the reputation and the opportunities of the people of the ACT, and ultimately they are hurting themselves.

Question put:

That **Mr Stefaniak’s** amendment agreed to.

The Assembly voted—

Ayes 7

Noes 8

Mrs Dunne  
Dr Foskey  
Mr Mulcahy  
Mr Pratt

Mr Seselja  
Mr Smyth  
Mr Stefaniak

Mr Barr  
Mr Berry  
Mr Corbell  
Ms Gallagher

Mr Gentleman  
Mr Hargreaves  
Ms Porter  
Mr Stanhope

Question so resolved in the negative.

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (10.20): I move amendment No 3 circulated in my name [*see schedule 1 at page 2037*].

Amendment No 3 omits the section repealing the Health Promotion Act, one of the three areas that we say should not be covered by this bill.

**MR SMYTH** (Brindabella) (10.21): I just want to make the point again that the argument seems to be that the government wants some efficiency and that there are too many people supporting Healthpact. Therefore, the only solution, the only answer that we can possibly have to that, is to drag it back into the department. Again I make the point that not too many organisations that are dragged back into departments end up with increased effectiveness or efficiency. That was actually one of the outcomes of the reforms that occurred in Western Australia, courtesy of the Costello report for there.

Not only did they not save money in the required time frame, not only did they spend more money to set it up and not only did they employ extra staff to set it up, but also there was a decrease in effectiveness and a decrease in efficiency because people did not know the area that they were talking about or did not know the area's complexities, the groups on the ground or the actual needs of the community.

Here we are again. I want to thank Ms Gallagher for the book she gave me. She launched it not so long ago when she became the health minister. It has Mr Corbell's smiling face inside and has him saying that it is a great organisation. He thanked them all for the 10 years of Healthpact. There were tea and scones. The former board members and directors were up the front of the photos. At the same time, the government knew full well that it was going to destroy the structure and the infrastructure that it had set up.

Everybody is in favour of efficiency. That is a reasonable thing. But if you have identified a lack of efficiency, why have you sat on your hands until this point, why have you not fixed it up and why have you not looked at other solutions? If the answer is efficiency, then get the efficiency dividend from the organisation as it exists rather than dragging it through a reform process which, if it follows what happened in Western Australia, and that is more than likely what will happen, will mean that it will be less effective and it will be less efficient. That is being short-sighted because, if we do not keep Canberrans healthy, the outcome will be that you will get more visits to the hospital.

Preventable diseases account for about one-third of all presentations to the hospital: a day in acute hospital care at a cost of \$960 against some ASO1s and ASO2s. So there is the problem. The change is short-sighted, it will be less effective, it will be less efficient and it will be less in touch with its community. Therefore, it will have a negative effect on the health of Canberrans.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (10.24): Mr Speaker, the challenge to the Liberal Party on this issue is quite simple: demonstrate where in the budget papers there is any reduction in the funding of health promotion activity in the territory.

**Mr Smyth:** I did not say there was.

**MR CORBELL:** Oh, there is not any! Somehow the existence of an administrative unit called Healthpact makes all the difference as to whether people are able to be prevented from going into hospital. I would have thought that maybe it would have made a difference if there had been some reduction in health promotion activity, maybe there was less money to be spent on encouraging people to eat in healthy ways, encouraging people to take part in regular exercise or targeting people whom we know have certain risk behaviours that are more likely to result in them ending up in hospital.

Surely there would have been a real problem if there has actually been a reduction in health promotion funding, but there has not. There has been no reduction in health promotion funding. In fact, as a result of this measure, those funds will be able to be utilised more efficiently because there will be less administration associated with them. More money will be available to go to the front line.

**Mr Smyth:** That is what happened in WA.

**MR TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Order, Mr Smyth!

**MR CORBELL:** The absurd nature of Mr Smyth's argument is that this unit, Healthpact, must be defended at all costs because it and only it can provide increases in healthy activity.

**Mr Smyth:** No, we have picked and chosen which ones we are going to defend.

**MR TEMPORARY DEPUTY SPEAKER:** Order, Mr Smyth!

**MR CORBELL:** Yabba, yabba, yabba goes Mr Smyth, like Yogi Bear.

**Mr Smyth:** For personal abuse, Mr Corbell, that is very sharp.

**MR CORBELL:** He is still going. He has been caught out, Mr Temporary Deputy Speaker.

**Mr Smyth:** You do not like it, do you, Mr Corbell?

**MR TEMPORARY DEPUTY SPEAKER:** Order! Mr Smyth, I have called you to order twice. Mr Corbell has the floor.

**MR CORBELL:** He has been caught out, Mr Temporary Deputy Speaker, because he has just asserted and, in fact, has just agreed that there has been no reduction in health promotion funding. How can he claim that there are going to be waves of people, thousands and thousands more, ending up at the public hospital if there has not been any reduction to health promotion funding? This is a sad argument from the Liberal Party, a sad and dismal argument from the shadow minister for health. You would have thought that he would have looked to the bottom line—

**Mr Smyth:** Sad is the man in the book.

**MR CORBELL:** Yabba, yabba, yabba. There he goes again. He just cannot help himself, Mr Temporary Deputy Speaker. He cannot help himself when he is caught out. He cannot help himself when he has made the big blooper of not actually looking at the bottom line to see whether there has actually been a reduction in funding. There has not. This is an absurd amendment by the Liberal Party and one that shows their complete failure to understand exactly what is trying to be achieved here; that is, more resources where they count, at the sharp end. In this case, it is about better outcomes for health promotion in the territory.

**MR SMYTH (Brindabella) (10.27):** I wish to respond quickly to that one. I am sure that Mr Corbell will get hold of a copy of *Hansard* and show where any members on this side of the house have actually said tonight that funding to Healthpact will be reduced, because none of us has said that. Not one of us has said that. That is typical of the behaviour of Mr Corbell, who just spins, twists and weaves. I think it is from embarrassment at having his happy, smiley face in this book lauding how wonderful Healthpact is and the wonderful work that the board has done. There he is on page 1, Mr Smiley himself, praising Healthpact, praising the way that it has done things. If anybody has been caught out, if anybody has been shown up for their hypocrisy, it is Mr Corbell.

Amendment negatived.

Clause 4 agreed to.

Schedule 1, part 1.1, agreed to.

Schedule 1, part 1.2.

**MR STEFANIAK (Ginninderra—Leader of the Opposition) (10.30):** Mr Speaker, move amendment No 6 circulated in my name [*see schedule 1 at page 2037*].

This amendment omits a section stripping a reference to the Emergency Services Authority from the Emergencies Act 2004. Again, it is one of those amendments in relation to the three authorities we do not want to be put back into the government bureaucratic structure.

**MR PRATT (Brindabella) (10.30):** This government's handling of emergency management since it has come to power has been a muddle-headed—

**Mr Stanhope:** You said that before.

**Mr Seselja:** He is going to say it again.

**MR PRATT:** I am going to say it again: it has been a muddle-headed and clumsy affair. From the December 2001 fire you learnt nothing, and the lessons arising from that fire led to the parlous state that emergency management was in in 2003. As a consequence of the 2003 disaster, McLeod recommended the establishment of the Emergency Services Authority. You have now turned the clock back and this is the final loop that you have

tied after 4½ years of mismanagement in emergency services. It took you 17 months after the McLeod inquiry recommended the creation of an independent statutory authority. It took you 17 months to come into this place and finally table legislation to create the Emergency Services Authority. I remind you of that.

In that 17-month period we sailed through another bushfire season. In 2003-04 we sailed through another bushfire season because of your failure to act and your failure to table in this place any reasonable legislation. That says it in spades. This government has been a very poor manager of emergency management, and here we see it again: this attempt to strip away the title, Emergency Services Authority, so that we can have it subsumed within the department of justice and community services.

It is something that this government will rue. The men and women of the emergency services will not thank you. They will not thank you at all. At the 11th hour, I call upon this government to see some commonsense and to ensure that this authority remains a statutory authority. If you think that by putting it under the department of justice and community services it is not going to affect its operational capability you are wrong, because when you subsume it within a department and then have that department reach down and interfere with the running of its administration, that takes away from its commissioner the power to make that organisation responsive. You cannot even see that, can you? This is a sad day for emergency management in the ACT.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (10.34): I just want to take the opportunity tonight to put some things very clearly on the record and, in essence, to reiterate a range of comments I have made in the media and publicly since the budget was brought down on Tuesday.

The government is proposing not a single change to the operational powers of the four emergency services, their chief officers or the commissioner. These are the fundamental elements that guarantee the operational independence and capacity of our emergency services. If the government were seeking to remove or to undermine in any way those statutory powers of the chief officers and the commissioner as they relate to their operational responsibilities, the criticism from the Liberal Party would be accurate. But the criticism from the Liberal Party is not accurate because that is not what we are doing.

What we are doing is changing the financial reporting and administrative responsibility that are essentially the back end of what the emergency services do. The emergency services have an operational element which is the bulk of its operation, and those are the four emergency services: the ACT Ambulance Service, the ACT Rural Fire Service, the ACT Fire Brigade and the State Emergency Service. Those four arms perform vital work for our community. They are composed of committed volunteers and paid officers. They do very important work for us all. This government, unlike those opposite, has made the investment in those services.

When we came to office we inherited a legacy of massive underfunding and neglect, and that legacy was revealed all too painfully during the fires of 2003: no emergency control capacity; outdated, indeed antiquated, radio communications; inadequate resourcing and training of staff; and inadequate provision of vehicles and equipment. All those things

were the legacy of Brendan Smyth, when he was Minister for Emergency Services, and his predecessors—seven long years of neglect which this government has redressed.

Funding to the ACT Emergency Services Authority has been massively boosted: a 46 per cent increase in three years; a budget now going well over \$50 million. That is this government's legacy, and it is a proud one, when it comes to investing and improving emergency services in this territory. So I will not hear a word of criticism of this government's commitment to improving our emergency services capacity. We have a strong record. It is those opposite who have a record of neglect and complete ignoring of what our emergency services needed.

These changes free up our commissioner to focus on those operational elements where his or her skills are most desperately needed: to co-ordinate the activities of the four services, to keep them talking to each other, working with each other and training with each other so that they are in the best possible position to respond to any emergency that our city may face into the future.

These changes ensure that with a budget of the size we are now facing with emergency services, it is brought closer to government so that closer attention can be paid to day-to-day financial management, day-to-day administrative operations, which are separate from the operational capacity of our emergency services. That is what these changes do. They are sensible, they are considered and they respect the operational independence and integrity of our chief officers, our commissioner and our four emergency services.

The government can make a very clear and unequivocal commitment. From a volunteer's perspective or from a paid officer's perspective, they will see no change on the ground. When they do their work, when they do their training, when they do their community services they will see no change on the ground but they will see a continued commitment from this government to investing in emergency services to protect our city and to protect our community.

**MR PRATT** (Brindabella) (10.39): I will just take a couple of minutes of my second 10 minutes. Mr Corbell stood up and said that this was all entirely the result of a seven-year legacy left by the previous government. Let me tell you about what happened. We just heard the minister sheet home entirely the blame to the previous government for emergency services as they then existed after the change of government in 2001. We see a government here which failed to read the drought index in 2002.

It is at least a joint responsibility. It is something that you cannot entirely sheet home to the existing emergency services at that time. Yes, they were not equipped, they were bureaucratic, they were dysfunctional and they were not well organised. But the drought index developing in 2002 really raised the stakes significantly higher than they had been prior to 2002. If you had read the entrails of the December 2001 bushfire, properly analysed the bushfire threat in 2002 on the back of that fire and coupled that with the drought index, you might have been in a better position to manage the emergency circumstances facing this community.

You failed in those duties as well. You failed also to read where the threat was emerging between 10 and 17 January 2003, and finally you, as well as the then dysfunctional ESB and perhaps some other elements of the services, failed to warn the community of the

threat that finally impacted on the suburban edge. So do not simply sheet it home to the emergency services and blame it all on the previous government. By January 2003 you had been in power for sufficient time—

**Mr Corbell:** Eighteen months.

**MR PRATT:** Eighteen months is sufficient time to at least do something better than you did. Your performance in January 2003 was dismal in terms of emergency management. You did not even try and improve one millimetre.

**Mr Corbell:** Seven years. For seven years it was neglected.

**MR PRATT:** Okay, yes, the previous government had left a legacy in which there were weaknesses—of course—and the opposition has always sheeted that home. But do not simply say that over 18 months you were incapable of picking up any measure of your duty in emergency management.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (10.42): I welcome the admission from Mr Pratt that the Liberal Party bears responsibility for its failure to properly resource the Emergency Services Bureau in the seven years that it was in office, because that is the only time we have ever heard that from them. We welcome that.

**Mr Pratt:** No, it is not; I said that in February 2003.

**MR CORBELL:** It is lovely to hear it again then, Mr Pratt. Mr Pratt suggests that I am blaming the then, to use his words, dysfunctional ESB and sheeting it home to them.

**Mr Pratt:** And to use the Auditor-General's words—

**MR CORBELL:** No, I am not sheeting it home to them, Mr Pratt; I am sheeting it home to you—not to them, to you. They did the work that they could do with the tools that they had.

I am amazed, even though I have other involvement in the emergency services through volunteer activity, at some of the issues I have discovered since I have been a minister. The one that is most glaring and obvious to me is the VHF radio communications system. That system is a museum piece. It is a museum piece now, it was a museum piece three years ago, and it was a museum piece eight years ago. No-one else in this country uses it; no-one else in this country uses one any more. They sit in museums—literally in museums. The ESA has had to bring someone out of retirement from Queensland to maintain the thing. Unlike those opposite, we have taken steps to replace that system, and that process is well under way.

**Mr Pratt:** Well under way three years later.

**MR CORBELL:** The ACT Fire Brigade now does not use that system, the ACT Ambulance Service does not use that system, the ACT Rural Fire Service is having capability developed for that system, and they use both, as does the ACT State

Emergency Service. That is just one example of what was left to this government by those opposite.

It is interesting, of course, that Mr Smyth is not here—Mr Smyth being the minister for a considerable time. It is interesting how all these little legacies that Mr Smyth left are coming home to haunt us: the failure to fund the ESB and the lease on the Narrabundah Long Stay Caravan Park. His legacy is getting longer and longer every day. I think we should just send him a big bill.

That aside, the point that I wish to make in the debate tonight is this: the government are not in any way undermining the capacity or the ability of our emergency services to do their work. On the contrary, we are resourcing them even more: more volunteer fire fighters, more State Emergency Service volunteers, more ACT Fire Brigade fire fighters, more ambulances and more fire-fighting vehicles. That is our record. It is a proud record and it is a record we will maintain whilst ensuring that there is close and effective oversight of the financial and budget management of the emergency services into the future, freeing up our commissioner and our chief officers to do the work they need to do in protecting our community.

Amendment negatived.

Schedule 1, part 1.2 agreed to.

Remainder of bill, by leave, taken as a whole.

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (10.47): I seek leave to move amendments 7 to 19 circulated in my name together.

Leave granted.

**MR STEFANIAK**: I move the rest of my amendments circulated in my name together [*see schedule 1 at page 2037*].

The amendments are consequential on what we have done today.

Amendments negatived.

Remainder of bill, as a whole, agreed to.

Bill agreed to.

### **Standing order 76—suspension**

Motion (by **Mr Corbell**) agreed to, with the concurrence of an absolute majority:

That standing order 76 be suspended for the remainder of the sitting.

### **Leave of absence**

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



That leave of absence from 9 June to 14 August 2006 be given to all members and that leave be granted to Ms MacDonald for this sitting day.

## Civil Unions Amendment Bill 2006

Debate resumed.

**MR STEFANIAK** (Ginninderra—Leader of the Opposition) (10.49): I will be relatively brief. As I indicated in an earlier debate, the opposition was happy to support the motion regarding the Governor-General. In fact, I am amazed at some of the convoluted ceremony involved in that. I could not quite believe it—Labor Party people dressed up in togs, with a mace, and trotting off to Government House. I do not know if we will be going on to that, but apparently that is true. In relation to this particular bill, we will be opposing it. Briefly, we always stated that the Civil Unions Bill was sailing very close to the wind in terms of breaching the federal Marriage Act. We wait with interest to see what happens from the other process. We have also always said that the Tasmanian model was the one to adopt.

This bill, as much as anything else, is bad law and is basically a stunt. It is a rather unfortunate stunt in that a number of people may well come forward and enter into a civil union which may ultimately then be nothing in a few months if certain things take their course via the Governor-General and in the federal arena. I think that would be unnecessarily hurtful to the people involved. As I said, we do not agree with the Civil Unions Act as it is—it has been passed—but by the same token we do not think that people should be needlessly put to grief as a result of a political stunt.

I note that this bill is rushed. It is rushed through because of what the federal Attorney-General has announced. It specifically shortens the minimum time frame, the requirement in section 11 of the act, from one month to five days. Section 11 provides that two people who have given the required notice of their intention to enter into a civil union may then enter into that union by making a declaration before a civil union celebrant and one other witness. That declaration must be made not earlier than one month after the date the notice was given to the civil union celebrant. This amendment shortens that minimum period to five days.

I know that the government has been at great pains to say that this bill does not really equate to marriage. But one thing I recall in relation to the Marriage Act is that there is a 28-day period when you have to give notice, and you cannot get married before that period of 28 days is up. I would imagine the one-month period was put in for a simple reason: a cooling off period to give people time to think—last thoughts, last worries—and not go ahead with it.

**Mr Barr:** Don't do a Britney Spears, hey.

**MR STEFANIAK:** I might have even had something in the registration scheme to that effect, Andrew. But, by bringing it back to five days, it is bad law. There is notice of cooling-off period. I think five days is a cooling-off period for a conveyance, but it is not a proper cooling-off period for something as emotional and as important as solemnising a relationship between two people, whatever sex they are—a loving couple, be they in a

marriage, a civil union, a registration scheme or whatever—and equating it to a cooling-off period effectively for something like a conveyance or buying something on hire-purchase or whatever. So I think it is bad law. It does reek of a stunt. For those reasons we are opposing it.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Tourism, Sport and Recreation and Minister for Industrial Relations) (10.53): I thought, in response to Mr Stefaniak's points, it would be worth pointing out that, since the passage of the bill, my office has received—I am sure many other members' offices have been inundated—requests for information about how couples might go about entering into a civil union. Some people have been waiting for it for their lives, Mr Stefaniak. It has been denied them for such a long time.

There are queues of people who are waiting for this legislation to get up and running who have already made lifelong commitments to each other and who are looking for the chance to see that legally recognised. For them the decision was made a long time ago to live together, to share a life together. I have had couples approach my office who have been in relationships for 20 years or more and who are really looking forward to the opportunity to enter into a civil union and to take up the opportunity that this legislation presents them, and I wish them all the very best in those endeavours.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (10.54), in reply: I will simply close the debate. I want to reiterate quickly that the government would have preferred to maintain the existing provisions, but our hand has been forced by the autocratic decision of the federal government to overturn a law lawfully made by this Assembly. We believe, as Mr Barr has outlined, that people in the ACT who are in a same-sex relationship and who wish to enter into a civil union should still be given that opportunity. They should not be denied it because of the exceptional circumstances that we are now facing.

So we are going to provide that opportunity, and we are going to provide for people to take the opportunity to enter into a civil union knowing full well that there is a risk associated with that. I have no doubt that anyone entering into a civil union will know very well what the circumstances are around the possible discontinuance of this legislation. Nevertheless, we know that they want to do it. As Mr Barr says, in many instances they have been waiting all of their adult lives to do it. Why should we deny them that opportunity even if there is potentially—we certainly hope it will not be the case—a narrow window to do it in

So that is the purpose of this amendment. Yes, we are showing defiance to the commonwealth government, and rightly we should. This legislation should be allowed to stand and this legislation should be available to all Canberrans who wish to exercise the opportunities it presents. That is the purpose of this bill and I commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Question put:

That this bill be agreed to.

The Assembly voted—

Ayes 9

Noes 6

Mr Barr	Mr Gentleman	Mrs Dunne	Mr Stefaniak
Mr Berry	Mr Hargreaves	Mr Mulcahy	
Mr Corbell	Ms Porter	Mr Pratt	
Dr Foskey	Mr Stanhope	Mr Seselja	
Ms Gallagher		Mr Smyth	

Question so resolved in the affirmative.

Bill agreed to.

## Adjournment

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

That the Assembly do now adjourn.

## Unemployment

**MR MULCAHY** (Molonglo) (11.00): I would like to use this opportunity to make some comments on recent figures that have been released by the federal government on unemployment in Australia. I was very pleased to discover that Australia's unemployment rate fell to only 4.9 per cent in May 2006, which is the first time that the unemployment rate has fallen below five per cent since 1976. According to labour force figures by the Australian Bureau of Statistics, 55,800 Australians found a new job, taking the total number of Australians who are employed full time to a staggering 7.254 million, which is the highest number ever recorded, a figure with which we should all be very pleased.

These figures, as impressive as they are, not only indicate that Australia is on a very firm footing economically but also expose the shameful scaremongering of the federal and state Labor parties and the ACTU for what it is: hysterical and baseless criticism of a federal government industrial relations policy that is producing tangible results and positive reform of Australian workplaces. I know that these positive outcomes have been spoken about before, but I do believe it is well worth reminding our colleagues on the other side of the chamber how wrong they have been about WorkChoices and the federal government workplace reforms.

The fact is that the Howard government workplace relations reforms since 1996 have helped to deliver higher wages, higher productivity, more jobs, lower interest rates, and record levels of employment, as we hear from the new figures that have been released today. Ultimately, the best protection for workers and the best guarantee of job security and higher wages is a strong economy—and probably not working with the ACT

government, given the way we see agencies disappearing tonight. A modern workplace relations system is an essential component.

What are also worth recalling are the motives behind Labor's dogged insistence on engaging in repetitive and ultimately fruitless attacks on the WorkChoices legislation. The ALP is hopelessly beholden to the trade union movement, with unions having donated over \$47 million to the ALP since 1995-96. So, unsurprisingly, their agenda is to try and protect the role of unions and union officials. Let us be honest: each member opposite has a level of indebtedness to the union movement.

Mr Speaker, I would like to finish by making a brief comparison between the industrial relations world under Labor and the industrial relations world of today, which paints a pretty clear picture. Under the heavily regulated Labor workplace relations system in the 1980s, millions of hardworking Australians were thrown onto the unemployment scrap heap. Today, under the coalition we have the highest number of Australians ever in full-time employment and the lowest unemployment since 1974. Only one year earlier, in 1973, at the height of the system of compulsory arbitration and union power, favoured by the Labor Party, the rate of disputes was 1,273 work days lost per 1,000. Under the coalition, industrial disputes have consistently remained at the lowest level of strikes since records were first kept in 1913.

So, Mr Speaker, under WorkChoices, we are left with record low unemployment, record low industrial disputes and strong and consistent economic growth. It seems that the WorkChoices model is already paying dividends. We see more people employed in the history of this country since records were kept. We see fewer people suffering the humiliation and the desperation associated with unemployment. Of course, the gloom and doom that have so often been predicted by people such as Mr Gentlemen and others have simply failed to materialise: the end of the weekend barbecue, we were told; mass sackings; and the ruination of peoples' lives. And these figures come out on the eve of the so-called week of action, or day of action that we heard about earlier this week.

It seems quite remarkable that there is still no acknowledgment that this new legislation will not contribute to unemployment. It will be so interesting in 12 months time to hear the explanation for all the fear tactics that we have had presented in this Assembly, when we do not see people leaving their jobs and we do not see peoples' rights violated. In fact, we see our economy continue to go from strength to strength. It is a great day for Australia to see these new employment figures. I urge members opposite to give some regard to this when they make predictions of gloom and doom.

**The Assembly adjourned at 11.05 pm until Tuesday, 15 August 2006, at 10.30 am.**

## Schedule of amendments

### Schedule 1

#### Administrative (Miscellaneous Amendments) Bill 2006

##### Amendments moved by Mr Stefaniak

**1**

**Clause 2 (3)**

**Page 2, line 11—**

*omit clause 2 (3), substitute*

- (3) Also, section 4 (1) (e) and (6) (which repeal the *Stadiums Authority Act 2000* and registrable instruments under that Act) commence on a day fixed by the Minister by written notice.

**2**

**Clause 4 (1) (b)**

**Page 3, line 17—**

*omit*

**3**

**Clause 4 (1) (c)**

**Page 3, line 18—**

*omit*

**6**

**Schedule 1, part 1.2**

**Page 5, line 7—**

*omit*

**7**

**Schedule 1, amendment 1.37**

**Page 22, line 14—**

**omit**

**8**

**Schedule 1, amendment 1.39**

**Page 22, line 20—**

*omit*

**9**

**Schedule 1, amendment 1.41**

**Page 23, line 5—**

*omit*

**10**

**Schedule 1, amendment 1.43**

**Page 23, line 11—**

*omit*

**11**

**Schedule 1, amendment 1.58**

**Proposed new section 4**

**Page 44, line 24—**

*omit*

- ACT Health Promotion Authority

**12**

**Schedule 1, amendment 1.58**

**Proposed new section 4**

**Page 45, line 2—**

*omit*

- Australian Capital Tourism Corporation

**13**

**Schedule 1, amendment 1.58**

**Proposed new section 4**

**Page 45, line 3—**

*omit*

- Emergency Services Authority

**14**

**Schedule 1, amendment 1.59**

**Proposed new section 5**

**Page 45, line 10—**

*omit*

- ACT Health Promotion Authority

**15**

**Schedule 1, amendment 1.59**

**Proposed new section 5**

**Page 45, line 12—**

*omit*

- Australian Capital Tourism Corporation

**16**

**Schedule 1, amendment 1.59**

**Proposed new section 5**

**Page 45, line 13—**

*omit*

- Emergency Services Authority

**17**

**Schedule 1, amendment 1.61**

**Page 46, line 7—**

*omit amendment 1.61, substitute*

**[1.61] Schedule 1, modification 1.1**

*omit*

**[1.1] New sections 110A and 110B**

*insert*

**110A Application of Legislation Act, s 94 to certain appointments, elections and approvals**

*substitute*

**[1.1] New sections 152 and 153**

*insert*

**152 Application of Legislation Act, s 94 to certain appointments, elections and approvals**

**18**  
**Schedule 1, amendment 1.62**  
**Page 46, line 18—**

*omit amendment 1.62, substitute*

**[1.62] Schedule 1, modification 1.1, section 110B heading**

*substitute*

**153 Application of Act to Health Promotion Act**

**19**  
**Schedule 1, part 1.5**  
**Page 47, line 1—**

*omit*

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## Answers to questions

### Legislative Assembly—members' travel (Question No 1047)

**Mr Corbell** asked the Speaker, upon notice, on 2 May 2006:

- (1) What has been the level and individual costs of travel by non-Government Members of the Assembly approved by you for the last twelve months;
- (2) What has been the purpose of the travel and the individual costs incurred by non-Government Members of the Assembly on each occasion.

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

The answer to the Minister's question is set out in the attached table. However, in providing the response, I do wish to draw to your attention that the information you have sought has already been tabled in the Assembly, by way of the quarterly travel report for non-Executive MLAs (although the travel report for the quarter commencing 1 April 2006 will not be tabled until July).

I have attached those reports for the periods covered by your question.  
(Copies of reports are available at the Chamber Support Office).

MLA	Date(s) of Travel	Purpose	Detail	Cost
Mrs Burke	9 – 12 October 2005	Committee	Standing Committee on Health & Disability to gather information for Inquiry into appropriate housing for people living with mental illness – (Melbourne)	\$1420.06
Mrs Dunne	1 – 2 September 2005	Committee	Standing Committee on Education, Training and Young People – to gather information on Inquiry into Restorative Justice Practices in Youth Settings – (Adelaide)	\$518.05
Mrs Dunne	Date of event (no travel involved) – 15 September 2005	Study	Attend conference - Sustainable Water Management: Comparative Perspectives from Australia, Europe and the United States – (Canberra)	\$200.00
Mrs Dunne	30 November – 2 December 2005	Study	Participate in 'State of Australia Cities Conference 2005' – (Brisbane)	\$1533.53
Dr Foskey	3 – 5 August 2005	Committee	Standing Committee on Legal Affairs – to gather information in relation to two current Inquiries – (Hobart)	\$1131.10

Dr Foskey	30 September – 3 October 2005	Study	Attend course on issues related to the Murray-Darling Basin and Indigenous people of the area – (Moama)	\$795.00
Dr Foskey	Date of event (no travel involved) – 17 February 2006	Study	Media training – (Canberra)	\$1063.10
Dr Foskey	26 – 30 April 2006	Committee	Standing Committee on Public Accounts – Attend 2006 Australasian Council of Public Accounts Committees Mid-Term Conference – (Alice Springs)	\$1293.57
Mr Mulcahy	25 November 2005	Study	Attend 38 <sup>th</sup> AQGIE Awards as a guest of the Australian Writers' Guild – (Melbourne)	\$1206.20
Mr Mulcahy	31 March 2006	Committee	Standing Committee on Public Accounts – visit Auburn Hospital in connection with Inquiry in Auditor-General's Report No. 8 of 04: <i>Waiting Lists for Elective Surgery and Medical Treatment</i> – (Sydney)	\$327.70
Mr Mulcahy	7 April – 4 May 2006	Study*	Meet with financial institutions in relation to Public Accounting – (USA and UK)	Not finalised
Mr Pratt	2 – 3 November 2005	Study	Attend meetings with Lord Mayor and Senior Advisors, visits to road works, bus depots and city cleaning operations – (Brisbane)	\$445.38
Mr Pratt	20 – 22 November 2005	Study	Attend Policing, Intelligence and Counter Terrorism Inaugural Conference – (Sydney)	\$1263.35
Mr Pratt	(proposed) 29 May 2006	Study	Attend 'Emergency Management Conference' – (Sydney)	\$3324.50 (estimated)
Mr Seselja	7 – 9 September 2005	Study	Attend 'Choicez' Value Based Education Conference – (Melbourne)	\$1224.82
Mr Seselja	6 – 17 March 2006	Study	Attend Westminster Seminar conducted by the Commonwealth Parliamentary Association	Not finalised
Mr Seselja	Date of event (no travel involved) – 12 April 2006	Study	Attend meeting with Shadow Ministers for Education and Training – (Canberra)	\$85.00
Mr Smyth	14 November 2005	Study	Attend Shadow Health Ministers Meeting – (Sydney)	\$416.18
Mr Stefaniak	3 – 5 August 2005	Committee	Standing Committee on Legal Affairs – to gather information on two current Inquiries – (Hobart)	\$1290.01
Mr Stefaniak	15 – 18 March 2006	Study	Attend 'Shadow Coalition Sport and Recreation' Conference – (Melbourne)	\$919.00

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\* In accordance with the guidelines for non-Executive Members travel, the Chief Minister approved this travel.

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**Housing ACT—crisis protocols  
(Question No 1048)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 2 May 2006:

- (1) Further to the response to question on notice No 1009, how many Client Support Coordinators are currently employed to assist Housing ACT to initiate and negotiate referral of Housing ACT tenants to advocacy and support organisations in the ACT;
- (2) What forms of data collection does Housing ACT maintain in relation to referrals of tenants to advocacy and support organisations;
- (3) How many tenants were referred by (a) Client Support Coordinators and (b) Housing Managers to advocacy and support organisations in (i) 2003-04, (ii) 2004-05 and (iii) 2005-06.

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

- (1) Five
- (2) Housing ACT keeps appropriate records of advice and support provided to tenants on citizen files where applicable and in the Homenet client information system.
- (3) The information sought is not in an easily retrievable form. To collect and assemble the information sought solely for the purpose of answering the question would be a major task, requiring a considerable diversion of resources. In this instance, I do not believe that it would be appropriate to divert resources from the provision of direct services to clients, for the purposes of answering the Member's question.

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**Housing ACT—tenant participation programs  
(Question No 1049)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 2 May 2006:

- (1) Further to the response to question on notice No 1012, how much of the \$80 000 allocated as funds for tenant involvement in agreed consultative activities in 2005-06 has been provided to individuals or community organisations via an appropriate expression of interest (EOI) process;
- (2) When did the EOI process commence and is it still ongoing or has it concluded;
- (3) Which individuals and community organisations have received small grants under \$5 000.

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

- (1) \$90,000 was allocated for tenant participation activities. All expenditure to date has been for amounts of \$5000 or under and has complied with the ACT Government procurement requirement for one written quote for expenditure of \$5000 or under. All expenditure has also been in accordance with the work plan agreed by the Joint Champions Group. It has not been necessary to use the EOI process to date, but it will be used where the activity in the work plan requires it.

- (2) Not applicable.
- (3) As of 23 May 2006, approximately \$25,000 has been spent on tenant participation activities in line with the work plan. Further expenditure associated with Regional Tenants Forums in May 2006 will increase this figure. Of this expenditure, the two representative tenant groups have each received a small grant of \$5000 to help meet their costs of operation. The groups are called the ACT Public Housing Tenants Association, and the Public Housing Tenants Association Incorporated. No other small grants have been given. Members of the Joint Champions Group receive \$50 for attendance at the Joint Champions Group meetings, to meet out of pocket expenses, in accordance with the Department of Disability, Housing and Community Services Community Engagement Payment policy. For the purpose of this policy, community members are defined as consumers, potential consumers, carers or individual community members appointed on the basis on their individual expertise.

### **Housing ACT—tenant participation programs (Question No 1050)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 2 May 2006:

- (1) Further to the response to question on notice No 1011, what actual forms of training will Housing ACT provide its staff in conjunction with tenants and community organisations;
- (2) Has an external organisations been engaged to conduct this training; if so, which organisation and at what cost;
- (3) What percentage of Housing Managers will have completed the training expected to be conducted during the second half of 2006.

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

- (1) The content of training is still subject to consideration by the Joint Champions Group.
- (2) No.
- (3) See answer to (1).

### **Housing ACT—tenant participation programs (Question No 1051)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 2 May 2006:

Further to the response to question on notice No 1010, which organisations does Housing ACT engage, either informally or contractually, to assist Housing ACT tenants with any legal advice or to access legal interpretation services.

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

Housing ACT does not engage legal advice or services on behalf of tenants, but does suggest that tenants make contact with the Welfare Rights and Legal Centre if they require legal advice or representation.

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**Seniors—elder abuse  
(Question No 1052)**

**Mr Smyth** asked the Minister for Disability and Community Services, upon notice, on 2 May 2006:

- (1) How many calls has the Elder Abuse Information Line received each financial year since its inception;
- (2) If there is a report of elder abuse to this information line where is the caller then referred to make an official complaint;
- (3) Does the Government have a current figure on the level of elder abuse in the ACT;
- (4) What is the aim and purpose of the Elder Abuse Prevention Project, when did it commence and what is the Government doing to monitor the success of the Project;
- (5) What is the Government doing to (a) reduce the incidence of elder abuse and (b) assist victims of elder abuse.

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

- (1) The Elder Abuse Information Line call statistics are as follows:  
  
October 2004 – December 2004 – 15  
January 2005 – December 2005 – 100  
January 2006 – February 2006 - 13
- (2) Referrals are made to appropriate community or Government agencies, or if there is suspicion of criminal activity, to the AFP.
- (3) There are no consolidated records of elder abuse.
- (4) An Elder Abuse Prevention Project was funded in 2003/04 to provide a multifaceted approach to addressing elder abuse in the ACT. Individual components of the project, such contracts with community organisations, have evaluation processes built into them. The Ministerial Advisory Council on Ageing has a role in overseeing the implementation of the project as a whole.
- (5) The Government has implemented the following initiatives:
  - An Elder Abuse Information Phone Line;
  - Community awareness and education programs;
  - A Training Manual and Information Kit; and
  - A Media awareness campaign.

In addition to the programs outlined above, the Government funds a wide range of government and community services that provide assistance to victims of elder abuse as part of their general service.

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### **Seniors—Actively Ageing Framework (Question No 1053)**

**Mr Smyth** asked the Minister for Disability and Community Services, upon notice, on 2 May 2006 (*redirected to the Minister for Tourism, Sport and Recreation*):

- (1) Where is the Government up to in implementing the following key recommendations contained in the Actively Ageing Framework: (a) Market Research, (b) Promotional Campaign, (c) Training Programs and (d) Pilot Projects – Sustained Participation;
- (2) Given that within the strategic directions of the Actively Ageing Framework the Government committed to undertaking a number of research and evaluation projects, have the projects on that list been completed such as (a) an audit/survey on physical activity opportunities, (b) an audit/survey on the physical activity needs of older people, (c) a central resource for storing and sharing the baseline information, (d) research results disseminated to stakeholders, (e) best practice programs, which meet established criteria, identified and (f) programs monitored and evaluated to assess sustainability in meeting client needs; if not, why not;
- (3) How has this information furthered the implementation of the Actively Ageing Framework;
- (4) In relation to program development and delivery, have the following commitments been achieved: (a) guidelines for the conduct of physical activity programs for older people published, (b) survey of service deliverers conducted to assess whether they are better able to support older clients and their needs within the community, (c) survey of community members conducted to assess the success of service deliverers, (d) options for incentives to encourage greater involvement of health professionals explored and implemented and (e) pilot programs conducted, monitored and assessed; if not, why not;
- (5) What did the collection of this information tell Government about program development and delivery;
- (6) In relation to access and transport have the following commitments been achieved: (a) baseline audit/survey with information on accessibility completed, (b) options of affordability, diversity and transport investigated and reported and (c) government in receipt of advice on possible options for improving access and transport; if not, why not;
- (7) What did the collection of this information tell Government about access and transport;
- (8) In regards to promotion, marketing and recruitment have the following commitments been achieved: (a) measurement of higher levels of participation in sport and recreation by older people, (b) an increase in participation by specific target groups in physical activity, (c) effective marketing and promotional strategies in place and (d) options for incentives/funding program considered by government; if not, why not;
- (9) What did the collection of this information tell Government about promotion, marketing and recruitment.

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

(1)

- (a) This research was conducted and completed in 2003.
- (b) Material for the promotional campaign "Keep Moving and Feel Great" was first published and distributed in June 2004.
- (c) Training programs are conducted by the: YMCA of Canberra, (older adult instructor training and aged care staff training workshops), Heart Foundation (Heart Moves program), Canberra Hospital (Community Falls Prevention program) and selected aged care facilities.
- (d) The YMCA of Canberra conducted the pilot CALM program (Canberra Active Living Model) in Hackett in 2002. Following the success of this pilot, a further four programs have commenced across Canberra.

(2)

- (a) Yes.
- (b) The YMCA of Canberra CALM program is currently conducting a survey of its members addressing this topic.
- (c) Yes.
- (d) Yes.
- (e) Yes.
- (f) Yes.

(3) This has created the sustainability of the framework through successful program establishment and resulting lifestyle changes to members of the targeted audience in the ACT.

(4)

- (a) No.
- (b) No.
- (c) No.
- (d) Specific incentives have not been required, as the results of the CALM project have attracted the interest of the health profession. In 2004, the Department of Health and Ageing introduced Life Scripts Prescriptions. Doctors are able now to prescribe a life script to a patient, which involves consultation regarding lifestyle choices/changes.
- (e) Yes.

(5) The development of targeted physical activity programs for the ageing population of the ACT is a viable investment in the ACT. Program planning tools such as market research and community consultation have proven to be essential to the development and sustainability of a successful activity program.

(6)

- (a) No.

(b) No.

(c) No.

(7) This is yet to be determined (refer to answer for Question 6).

(8)

(a) Yes.

(b) Yes.

(c) Yes.

(d) Applications in this area are considered on an annual basis under the Sport and Recreation ACT Development Grants program and the Sport and Recreation ACT Women's Grants program.

(9) Promotion, marketing and recruitment to the ageing population of the ACT is strengthened through word-of-mouth, personal communications and establishing rapport.

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**Seniors—elder abuse  
(Question No 1054)**

**Mr Smyth** asked the Minister for Disability and Community Services, upon notice, on 2 May 2006:

- (1) Has the ACT Government implemented all 14 recommendations, to which it agreed to, of the Standing Committee on Health and Community Care's Report No. 11 on Elder Abuse;
- (2) What, if any, recommendations are outstanding for implementation;
- (3) What is the Government doing to monitor the impact of implementing these changes.

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

(1) Yes

(2) N/a

(3) The Ministerial Advisory Council on Ageing has an ongoing role in monitoring the impact of the changes. The Advisory Council assumed this responsibility from the Elder Abuse Prevention Implementation Taskforce once the recommendations were substantially implemented.

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**Emergency Services Authority—recruitment process  
(Question No 1072)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 3 May 2006:



- (1) What process was followed in filling the position of Assistant Commissioner (Emergency Management);
- (2) How many applicants were there for the position of Assistant Commissioner (Emergency Management);
- (3) Who was on the panel that conducted the recruitment process for the position of Assistant Commissioner (Emergency Management);
- (4) Did any members of the panel note a potential conflict of interest during the recruitment process;
- (5) Who was the delegate that gave final approval for the appointment of the Assistant Commissioner (Emergency Management).

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

- (1) The position of Director, Operational Support (which was later changed to Assistant Commissioner, Emergency Management) was advertised in the *Weekend Australian*, *The Canberra Times*, *The Herald*, and on the "Seek" website on Saturday 22 May, 2004.
- (2) Twelve.
- (3) Mr Peter Dunn AO, Commissioner Designate, ACT Emergency Services Authority; Mr David Prince, Chief Officer, ACT Fire Brigade; Mr Ken Paulsen, Chief Officer, ACT Ambulance Service; and Mr Terry Fewtrell, Yellow Edge Performance Architects.
- (4) No.
- (5) Mr Peter Dunn AO, Commissioner Designate, ACT Emergency Services Authority.

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### **Emergency Services Authority—addresses database (Question No 1073)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 3 May 2006:

- (1) Further to an article on page 26 of the *Courier Mail* of Thursday, 27 April 2006 entitled "A matter of life and death – Loophole delays emergency services", are all roads and addresses in the ACT registered on Government databases in order that emergency service vehicles have full records and access through their computer-aided dispatch system; if not, why not;
- (2) Does the Emergency Services Authority have road information on all gated or secure housing facilities such as those residential complexes that are privately accessed estates and do not have named internal roads within the complexes; if not; why not;
- (3) If the ACT Government does not have a database that includes all roads and addresses within the ACT including gated or secure housing facilities, how can emergency services respond effectively when they do not have complete information available regarding physical addresses in the ACT;

- (4) If there are addresses in the ACT that the Government does not have records for, where are these located and why have they not been entered into emergency service databases.

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

- (1) Unlike other jurisdictions, the ACT is pro-active rather than re-active in its registrations of addresses. Full addresses are assigned well before land/suburb development begins. These addresses are registered in the ESA's Computer Aided Dispatch system, quarterly, as they become available. ACTPLA is in continuous consultation with the Electoral Commission and Australia Post who field validate addresses and notify of any inconsistencies which are then immediately remedied. Verification can also occur through feedback from ESA crews operating in all areas.
- (2) Currently records in the CAD and from ACTPLA do not show any gated or secure housing facilities. Internal roads within private developments are named by ACTPLA in consultation with the developer and in accordance with existing ACT policies.
- (3) Where a property exists within a large complex, units are uniquely numbered to assist in their identification. Also, such complexes generally have a map at their entrance to assist in locating individual units. ESA units can also seek additional information from the ComCen.
- (4) The current process is designed to ensure that accurate records exist in the CAD database. A proactive approach is maintained such that any omissions are immediately investigated.

**Gilmore—fire hazards  
(Question No 1074)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 3 May 2006 (*redirected to the Minister for the Territory and Municipal Services*):

- (1) Did the Minister's office receive email correspondence in late 2005 regarding fire hazards on the hill in Gilmore parallel to Louisa Lawson Crescent; if so, what did the correspondence detail;
- (2) Was correspondence received from a member of the NSW volunteer bushfire service; if so, what action was taken;
- (3) Was any action taken to reduce the fire hazard in the area identified in Gilmore after the correspondence was received; if so, (a) where was action taken and (b) what was done;
- (4) Were any hazard reduction activities undertaken surrounding the Gilmore sub-station and pumping station in this area; if so, what was done;
- (5) Is the Minister aware of a fire that took place on the Gilmore hill area as identified in part (1) on Sunday, 2 April;
- (6) Why did this fire take place if action was taken to reduce hazards and was the hazard reduction insufficient or non-existent.

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

- (1) I am unable to answer the member's question because there is insufficient detail to enable a formal response to be formulated.
- (2) See answer (1).
- (3) Canberra Parks and Places manages the urban edge bordering this location. This area is regularly mowed, receiving up to 8 mows per annum, depending on grass growth. Grass in that area was cut late in October/early in November 2005. Along the urban edge mowing is undertaken to a width of 10 metres, in accordance with the Strategic Bushfire Management Plan. The mown area is patchy in places due to the high amount of rock. Work to further strengthen the mown edge is to be included in next year's Bushfire Operational Plan. Canberra Parks and Places also mows the perimeter of the area alongside the Monaro Highway and Isabella Drive.

Environment ACT slashes the area along the horse trail that runs north from Louisa Lawson Crescent to the sub-station. The horse paddocks at Gilmore are managed under a contract administered by Environment ACT. They were grazed at the time and the contractor slashed the area during the Summer months, including to the north west and south of the sub-station. In addition, the contractor undertook slashing between Gilmore Horse Paddocks and Rose Cottage; which is north of the sub-station.

- (4) See answer to (3).
- (5) Yes.
- (6) Hazard reduction activities are designed to reduce the intensity and spread of fires, as well as reduce threat to property by fires. Hazard reduction activities will not prevent fires occurring unless vegetation is completely removed.

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**ACTION bus service—security cameras  
(Question No 1075)**

**Mr Pratt** asked the Minister for the Territory and Municipal Services, upon notice, on 3 May 2006:

- (1) Further to the response to question on notice No 863, when is the project to install security cameras in the 309 ACTION buses that do not currently have cameras installed expected to commence;
- (2) Has a tender been let for the project; if so, to whom has the tender been let and what is the value of the tender; if not, when will this occur;
- (3) When is the project expected to be completed;
- (4) How much Government funding has been allocated to this project;

- (5) Has any funding been expended to date; if so, how much;
- (6) How many (a) cameras are to be installed in total and (b) buses will these cameras be installed into;
- (7) Are all ACTION buses with existing security cameras installed operating on an analogue system;
- (8) Will all ACTION buses that have the existing analogue system be upgraded to new digital security cameras; if not, why not;
- (9) If ACTION buses operating on the existing analogue system are not to be upgraded, will the analogue and digital systems interact or operate separately; if so, what will be the cost of continuing to operate the existing analogue system;
- (10) How will the new digital system record information, where will it be stored and how long can it be stored for;
- (11) Will the cameras record all bus operations in their entirety; if not, why not and what operations will they record;
- (12) How will recordings be accessed and who will have access to the recordings.

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

- (1) Proposed for September 2006.
  - (2) No. It will occur following the evaluation of the tenders and final contract negotiations.
  - (3) Approximately twelve months from commencement.
  - (4) See 2005/06 Budget Papers.
  - (5) No.
  - (6) (a) Up to 6 cameras per bus, depending on final specification.  
(b) 343 buses.
  - (7) No.
  - (8) Yes.
  - (9) See answer (8).
  - (10) Images will be recorded and stored on digital media as MPEG for up to 30 days.
  - (11) Yes.
  - (12) By removable HDD. Nominated ACTION managers and the Australian Federal Police.
-

**Environment—litter  
(Question No 1076)**

**Mr Pratt** asked the Minister for the Territory and Municipal Services, upon notice, on 3 May 2006:

- (1) Further to an article appearing on page 8 in *The City Chronicle* on Tuesday, 25 April 2006 entitled “Butt free city campaign a success with smokers”, what are the locations of all butt hot spots as identified in the article;
- (2) How will these butt hot spots be monitored in the future;
- (3) How many people will be employed to monitor these butt hot spots and what will the cost be to the ACT Government for these monitors;
- (4) Were there eight butt litter educators employed for this campaign; if so, why;
- (5) How long have the butt litter educators been employed for and when will their employment with the ACT Government finish or are the positions ongoing;
- (6) What was the cost to the ACT Government for employing the butt litter educators;
- (7) What was the cost for the (a) attire worn by the butt litter educators, (b) information cards and (c) personal ashtrays handed out.

**Mr Hargreaves:** The answer to the member’s question is as follows:

- (1) The Butt Hot Spots referred to in the 25 April 2006 Chronicle article are outlined below.

There were 5 hot spots, which included nominated reference points and their surrounds.

Site number	Site Type	Name	Location
1	Office building entrance	ACT Health Building, Hobart Place, Marcus Clark Street	Moore Street, Marcus Clarke Street Canberra City
2	Office building entrance	AFP Building Various Government buildings Mort Street and Bunda Street	Bunda Street Canberra City Mort and Bunda Street
3	Public transport hub	Civic Bus Interchange	Alinga Street Canberra City
4	Public transport hub	Taxi Rank – Bunda Street	Bunda Street Canberra City
5	Open air shopping mall	Outside Canberra Centre – Garema Place and City Walk	Garema Place, Petrie Plaza and City Walk Canberra City

Educators covered a total area that was greater than 10 800 m<sup>2</sup>. The Australian National University also allowed educators to approach smokers on their campus.

- (2) There will be informal monitoring of these sites through existing maintenance activities carried out by Parks and Places. Information collected will be used in future Butt Free City Campaigns to identify potential hot spots. In addition, City Rangers will continue to enforce littering with on the spot fines where appropriate.

- (3) No additional staff will be used to monitor these sites in the future and there will be no cost to the Government.
  - (4) Yes. The City Campaign was run in partnership with the Butt Littering Trust. The Trust nominated the required number of educator staff.
  - (5) The eight educators were employed for five days in March 2006 (from 21-24 March and also 27 March) to support the launch week for the Campaign. They were hired under contract conditions from a promotional company and were required for 7 hours for each of the five days.
  - (6) Nil
  - (7) \$130.00
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**Seniors—older drivers handbook  
(Question No 1078)**

**Mr Pratt** asked the Minister for the Territory and Municipal Services, upon notice, on 3 May 2006:

- (1) What is the cost of producing and distributing the ACT Older Drivers Handbook;
- (2) Who and what age groups is the handbook targeted towards;
- (3) Who will the handbook be distributed to and how will it be distributed;
- (4) Will the handbook be individually distributed to all people in the groups identified in part (2); if not, why not;
- (5) Why does the 3 second rule, as outlined on page 32 of the handbook, apply only for alert drivers, driving vehicles in good mechanical condition with good tyres and driving on a good road surface in good traffic and weather and what rules apply to others;
- (6) At what age do older driver requirements commence, such that it is compulsory for these drivers to provide medical certificates and renew their licence annually once they reach this particular age;
- (7) What are all the requirements that must be fulfilled once a driver reaches the age as identified in part (6);
- (8) Is compulsory driver testing an element of these requirements, if so, what do the tests involve;
- (9) If compulsory testing is not a requirement for an older driver licence, why not, and has program been considered for older driver testing.

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

- (1) The ACT Older Drivers Handbook is updated annually with printing costs at approximately \$5,400.
- (2) The Handbook is targeted at all drivers 70 years and older.
- (3) All drivers receive a copy of the Handbook when receiving the licence renewal notice on reaching 70. In addition drivers also receive a booklet "Retiring from Driving" with licence renewal notices at the age of 75.
- (4) The handbook is posted to all drivers upon reaching the age of 70.
- (5) The recommended distance between vehicles is generally referred to as the "3 second rule". The Handbook emphasises that this rule is the minimum distance when driving situations are at an optimal level, eg: the driver is alert and vehicle and weather conditions are good. The information in the Handbook recommends at least doubling the distance between vehicles when driving conditions are not optimal.
- (6) The ACT requires medical assessment for all licence classes at the age of 75 and annually thereafter.
- (7) The driver must undergo an annual Medical examination performed by a qualified Medical Practitioner, indicating a person's fitness to drive. Where the Doctor considers the driver does not meet the medical criteria for an unconditional licence, they may be referred to an Occupational Therapist for further assessment for a conditional licence.
- (8) No
- (9) ACT policy is in line with the majority of other jurisdictions.

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**ACTION bus service—Civic ticket office  
(Question No 1079)**

**Mr Pratt** asked the Minister for the Territory and Municipal Services, upon notice, on 3 May 2006:

- (1) Was the ACTION ticket office located in Civic closed for a period of time throughout April 2006;
- (2) Was the ACTION ticket office closed due to staff shortages; if so, why do staff shortages exist and what has been done to rectify this problem;
- (3) If the ACTION ticket office was not closed due to staff shortages, what was the reason for the closure;
- (4) How long was the ACTION ticket office closed and when was it reopened;

- (5) What alternatives are available to ACTION passengers that wish to purchase a bus ticket from the ACTION ticket office;
- (6) Has the ACTION ticket office closed at any other times from 2001 to the present due to the problems identified in parts (2) and (3) above or otherwise; if so, how many times has it been closed and how long was it closed;
- (7) Are there any plans to permanently close the ACTION ticket office in Civic; if so, (a) what are the plans, (b) why is consideration being given to closing the ticket office and (c) what benefit will the Government and the community see from the closure of this office.

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

- (1) ACTION does not have a ticket office located in Civic.
- (2) See (1)
- (3) See (1)
- (4) See (1)
- (5) See (1)
- (6) See (1)
- (7) See (1)

### **Roads—street cleaning operations (Question No 1080)**

**Mr Pratt** asked the Minister for the Territory and Municipal Services, upon notice, on 3 May 2006:

- (1) Was a street cleaner operating in the area of Duffy Street, Ainslie on Easter Sunday, 16 April 2006; if so, why was this unit operating on a public holiday;
- (2) How long was the street cleaning unit in operation on Easter Sunday;
- (3) How many times has a street cleaner operated during the 2005-06 financial year to date in the area of Duffy Street, Ainslie;
- (4) Were any other street cleaners operating on Easter Sunday or Easter Monday, 16 and 17 April 2006 in the ACT; if so, (a) where were they operating, (b) how long were they operating and (c) why were they operating on these days.

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

- (1) Yes. The unit was operating on that day primarily to service the sites of the National Folk Festival, and the Canberra Balloon Fiesta. The opportunity was also taken during the day to respond to a number of other specific requests by members of the public for sweeping services, one of which was a deposit of debris in Duffy St Ainslie.



- (2) The unit operated for 8½ hours on Sunday 16 April 2006.
  - (3) The suburb of Ainslie, including Duffy St, has been serviced four times this financial year as part of the routine sweeping programme in addition to the specific request addressed on 16 April.
  - (4) The same road broom also operated on Monday 17 April 2006;
- Yes
- (a) at Exhibition Park, and at Parkes Place;
  - (b) for 4 hours in total;
  - (c) To cover the Folk Festival and Canberra Balloon Festival.
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### **Roads—verge parking permits (Question No 1081)**

**Mr Pratt** asked the Minister for the Territory and Municipal Services, upon notice, on 3 May 2006:

- (1) Further to article in Motor Traders Association (MTA) ACT Members Journal March 2006 entitled “Minister Hargreaves denies verge parking justice for licensed dealers in ACT”, is he able to say why the MTA believes that a fee Urban Services is charging for verge parking permits in Fyshwick has become a revenue focus;
- (2) What is the fee that the Government charges operators in Fyshwick that need a verge parking permit;
- (3) Why is a fee charged for a verge parking permit and how was the amount in part (2) arrived at;
- (4) How many businesses in Fyshwick have verge parking permits;
- (5) How much revenue was collected for the 2004-05 financial year;
- (6) How much revenue has been collected to date for 2005-06 and what is the estimated total revenue that the Government will receive from verge parking permits in Fyshwick;
- (7) Are verge parking permits needed in other areas of the ACT; if so, (a) where are they needed and (b) how much does it cost for a permit; if not, why not;
- (8) If the cost identified in part (7) differs from the cost for a permit in Fyshwick as identified in part (3), by how much does it differ and why does it differ;
- (9) How many fines and infringement notices have been issued to non permit holders in (a) 2004-05 and (b) 2005-06 to date.

**Mr Hargreaves:** The answer to the member’s question is as follows:

- (1) No.
- (2) The fee for using a verge to display vehicles is \$28.90/square metre/annum.

- (3) Motor traders are allowed the commercial use of verges in accordance with the provisions of the *Roads and Public Places Act 1937*. I am advised that the legislation permits the charging of fees.

The Australian Valuation Office advised Urban Services on the level of fees to be charged. To ensure equity, the existing fee structure for outdoor cafes (which is less than that recommended by Australian Valuation Office) was applied for the use of verges to display vehicles.

- (4) Twelve permits have been issued in Fyshwick.
- (5) Nil. No fees were charged for permits issued from 1 December 2004 to 30 November 2005. Vehicle Traders were given a twelve-month period of grace before fees were charged.
- (6) Revenue collected to date for 2005/06 is \$27,181.57.
- (7) Permits are required for the use of verges to display vehicles throughout the ACT. Permits cost \$28.90/square metre/annum in tertiary areas (e.g. Fyshwick); \$36.20/square metre/annum in secondary areas (e.g. Dickson) and \$43.40/square metre/annum in primary areas (e.g. City).
- (8) See 7.
- (9) None.

### **Finance—economic analyses (Question No 1082)**

**Dr Foskey** asked the Treasurer, upon notice, on 3 May 2006:

- (1) What economic analysis has the Department of Treasury conducted of housing in the ACT in (a) 2004-05 and (b) 2005-06;
- (2) Will the Minister provide a copy of the analysis; if not, why not;
- (3) Can a copy of the following economic analyses be provided, listed in the answer to question on notice No 23 during the Standing Committee on Public Accounts' inquiry into 2004-05 annual reports:
- (a) Summernats and the World Rally Championships,
  - (b) planning system reform,
  - (c) updated ACT greenhouse gas estimates for the Office of Sustainability and
  - (d) ACT Government submission to the Productivity Commission Review of National Competition Policy.

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

- (1) The Department of Treasury has undertaken economic analysis of housing in the ACT in 2004-05 and 2005-06 in relation to building activity, housing prices and affordability, housing finance, established house sales and rental prices. This analysis has been used to inform advice to Government on the state of the housing market and its impact on revenue collection.
  - (2) The Government publishes its outlook for the housing sector in the Budget. In addition, monthly economic briefs are publicly available on the Treasury website: [www.treasury.gov.au/snapshot/index.shtml](http://www.treasury.gov.au/snapshot/index.shtml).
  - (3) Some information has been made publicly available, and is freely available on the internet.
    - a. The Summernats analysis is included in the CMD report <http://www.cmd.act.gov.au/Documents/summernats05.pdf>. The analysis on the World Rally Championships is internal advice to government.
    - b. This report is internal advice to government.
    - c. This report is internal advice to government.
    - d. The ACT government submission to the productivity Commission Review of the National Competition Policy is Submission number 112 in <http://www.pc.gov.au/inquiry/ncp/subs/sublist.html>.
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### **Aboriginals and Torres Strait Islanders—family violence program (Question No 1083)**

**Dr Foskey** asked the Minister for Disability and Community Services, upon notice, on 3 May 2006:

- (1) Has the ACT Government been successful in its application to the Australian Government's Family Violence Partnership Program; if not, what were the reasons the Australian Government gave for not awarding a grant to the ACT Government; if so, (a) what are the details of the grant, including the Australian Government funding amount and manner in which the grant must be spent and (b) what local indigenous groups are involved;
- (2) If a grant was awarded, which local indigenous groups is the ACT Government currently consulting with about the program and what is the method of consultation.

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

- (1) No. The Department of Families, Community Services and Indigenous Affairs (FaCSIA) advised the application was declined on the basis that "the proposal was assessed against others in the context of the resources available during the round of funding and the Department (*FaCSIA*) is unable to provide funding at this time".
  - (2) N/a.
-

**Public service—appeals  
(Question No 1084)**

**Dr Foskey** asked the Minister for Industrial Relations, upon notice, on 3 May 2006 (*redirected to the Chief Minister*):

- (1) In relation to merit protection in the ACT public service, on what basis can a person appeal an employment decision, and which people can make an appeal;
- (2) Who is responsible for dealing with the appeals;
- (3) How many appeals were made in (a) 2001-02, (b) 2002-03, (c) 2003-04 and (d) 2004-05 and how many of these appeals were successful;
- (4) What impact do current enterprise bargaining agreements have on the appeals process;
- (5) What impact does the current use of joint selection panels have on the appeals process.

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

- (1) All ACT Government certified agreements contain provisions similar to Section M of the Public Service Template Agreement, clauses 88 to 95.2. These provisions set out the appeal mechanism for employees not satisfied with the outcome of certain decisions, including decisions about promotion or temporary performance (for periods in excess of 6 months) affecting the employee where the employee was an applicant for the position. This does not include decisions made on the unanimous recommendation of a joint selection committee.

An appeal may only be made in relation to promotions or higher duties decisions where the salary applicable is any classification with a maximum salary that is less than the minimum salary of a classification equivalent to a Senior Officer Grade C.

- (2) Clause 90 of the Template Agreement provides that the Chief Executive will nominate an employee from within the Agency to be convenor of Appeal Panels.
- (3) Under entry 12.94.1 of the Territory Administrative Records Disposal Schedule, a notifiable instrument made under the *Territory Records Act 2002*, records documenting review of promotion decisions are required to be kept for 1 year after recruitment has been finalised.

In view of this requirement records for review of promotion decisions are available for the financial years 2003-04 and 2004-05.

In 2003-04, five appeals were made and one was successful. In 2004-05, four appeals were lodged and none were successful.

- (4) As mentioned in the answer to question 1, Section M of the current ACTPS Template Agreement provides the mechanism for appeals. This section applies to the exclusion of the grievance and promotion/temporary performance appeal provisions contained in the Public Sector Management Act.
- (5) Promotions made using Joint Selection panels are not subject to appeal.

**Health—e-Health implementation  
(Question No 1085)**

**Mr Smyth** asked the Minister for Health, upon notice, on 3 May 2006:

- (1) What work has ACT Health undertaken since signing a Memorandum of Understanding in November last year regarding e-Health implementation;
- (2) Given that a proposed project for the ACT in regards to e-Health implementation was to facilitate the secure delivery of Electronic Discharge Summary and Referral information to health care providers in the ACT and surrounding NSW regions, has this project been implemented; if not, why not and when will it be implemented;
- (3) Has the ACT Government completed the ACT Patient Master Index in relation to e-Health implementation; if not, why not and when will it be implemented;
- (4) How will the patient master index benefit the Canberra community and the health care industry;
- (5) Has the ACT Government extended the electronic discharge summaries reporting to all clinical units at The Canberra Hospital in relation to e-Health implementation; if not, why not and when will it be implemented;
- (6) How will the extension of the electronic discharge summaries reporting benefit the Canberra community and the health care industry;
- (7) Has the ACT Government completed the Visiting Medical Officer remote access pilot in relation to e-Health implementation; if not, why not and when will it be implemented and completed;
- (8) How will this pilot benefit the Canberra community and the health care industry;
- (9) Is the Patient Administration System at The Canberra Hospital on track to go live during 2006-07 in relation to e-Health implementation; if not, why not and when will it be ready for implementation;
- (10) How will the Patient Administration System going live benefit the Canberra community and the health care industry.

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

- (1) ACT Health has:
  - developed and finalised a project proposal to procure and implement an Electronic Discharge Summaries and Referrals solution;
  - negotiated and finalised a Funding Agreement with HealthConnect (DoHA);
  - established a Project Governance framework inclusive of a Steering Committee;
  - recruited a Project Manager; and
  - developed system requirements through key stakeholder engagement – 1<sup>st</sup> Draft to the Steering Committee on the 18 May 2006.
- (2) Work completed to date on this project is listed above. Expected completion date for this project is March 2007.

- (3) The ACT Health Patient Master Index project is planned to be implemented in September 2006.
  - (4) The ACT Health Patient Master Index will enable accurate and timely consumer information sharing between all members of the ACT Health treating team. This will facilitate a more seamless transfer of care from one treating team member to the next.
  - (5) ACT Health will extend the Electronic Discharge Summary to all Clinical Units in March 2007.
  - (6) The Canberra Hospital Electronic Discharge Summary will facilitate a more seamless transfer of care information from one treating team member to the next.
  - (7) The Visiting Medical Officer (VMO) Pilot is complete.
  - (8) The VMO Pilot was implemented to facilitate VMO access to required ACT Health applications from their Private Consulting rooms. ACT Health consumers have benefited as a result of VMOs being able to access consumer records whilst reviewing consumers in their consulting rooms.
  - (9) The Patient Administration System at The Canberra Hospital will be implemented in 2006-07.
  - (10) The Patient Administration System being implemented in 2006-07 replaces the existing 15-year-old Patient Administration System and provides a single Patient Administration System for Community Health and The Canberra Hospital.
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### **Hospitals—elective surgery lists (Question No 1086)**

**Mr Smyth** asked the Minister for Health, upon notice, on 3 May 2006:

- (1) How many people on the public elective surgery waiting list have not yet been given a proposed date for surgery;
- (2) How many of those people have been waiting for a proposed date for (a) less than 12 months, (b) more than 12 months and (c) more than 24 months.

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

- (1) As of 10 May 2006, there were 4,066 people on the public surgery waiting list without a proposed date for surgery. Dates for surgery are given 2 - 3 weeks in advance. It should be noted that these numbers change daily.
  - (2) Of these 4,066 people
    - (a) 3,063 people have been waiting less than 12 months.
    - (b) 701 people have been waiting between 12 and 24 months.
    - (c) 302 people have been waiting greater than 24 months.
-

**Disabled persons—housing  
(Question No 1087)**

**Mrs Burke** asked the Minister for Disability and Community Services, upon notice, on 3 May 2006:

Further to the response to question on notice No 1034, if Disability ACT does not calculate occupancy rates of individual Disability Group Homes, what further benefits are there to reducing the occupancy level in some group homes, in addition to ensuring a more person centred and tailored service.

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

Disability ACT determines the occupancy of Disability group houses based on the needs of individuals within each house. The decisions around occupancy levels in each house are assessed against the benefits to the individuals residing in the house including compatibility and the level and type of support required. All accommodation decisions are undertaken in consultation with the families and guardians.

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**Housing—tenant participation programs  
(Question No 1088)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 3 May 2006:

- (1) Given that the Joint Champions Group has prioritised the implementation of agreed recommendations arising from the *Raising Our Voice* report, when will the endorsed Tenant Participation Program commence;
- (2) What order of priority has been given to the recommendations, both agreed or agreed in principle, arising from the *Raising Our Voice* report.

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

- (1) The agreed Tenant Participation Program is operational.
- (2) The Joint Champions Group has prioritised Regional Tenants Forums which are scheduled for late May 2006, training for tenants and Housing ACT staff, and tenant involvement in Housing ACT policy development.

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**Development—applications  
(Question No 1089)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 3 May 2006:

- (1) How many development applications for (a) single residential development, (b) non single residential development and (c) commercial projects were received each year from 1995 to 2005 inclusive, not including those which were subject to call in powers being exercised;

- (2) What was the average time taken by ACTPLA or its predecessors for approval of a (a) non single residential and (b) commercial development each year from 1995 to 2005 inclusive, not including those which were subject to call in powers being exercised.

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

- (1) Development applications received (not including those which were subject to call in powers being exercised):

Year	(a) single residential lodgements	(b) and (c) non single residential & commercial lodgements*
1995	4122	1006
1996	3747	874
1997	4107	827
1998	4368	959
1999	4279	981
2000	3596	1013
2001	4139	930
2002	5069	962
2003	4947	776
2004	4228	831
2005	3988	896

\* Unable to split data into non single residential and commercial as data not collected in this way

- (2) Average time for approval (business days) - not including those which were subject to call in powers being exercised:

Year	(a) and (b) non single residential and commercial *
1995	71
1996	45
1997	35
1998	41
1999	34
2000	39
2001	30
2002	30
2003	33
2004	35
2005	29

\* Unable to split data into non single residential and commercial as data not collected in this way



**Ginninderra district high school  
(Question No 1091)**

**Dr Foskey** asked the Minister for the Territory and Municipal Services, upon notice, on 4 May 2006:

- (1) What road/pedestrian safety improvements have been undertaken to facilitate the transition of Ginninderra District High School (GDHS) students and/or students residing in the GDHS priority enrolment area to other schools;
- (2) What is the total cost of those improvements listed in part (1);
- (3) What is the number of additional bus services put on to facilitate the travel of existing GDHS students and/or students residing in the GDHS priority enrolment area to other schools;
- (4) What is the projected annual cost of each of these services and the proportion of these costs estimated to be recovered from fares;
- (5) What is the total cost recovery rate on student bus travel services in the ACT.

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

- (1) Nil
- (2) Nil
- (3) One
- (4) (a) There has been a net saving of approximately \$16,000.  
(b) N/A
- (5) The total cost recovery rate on dedicated school student bus services is 22.8%.

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**Schools—empty desks  
(Question No 1092)**

**Dr Foskey** asked the Minister for Education and Training, upon notice, on 4 May 2006:

- (1) What is the average cost to the ACT Government of an empty desk in an ACT Government school;
- (2) How is that average cost determined;
- (3) How is community-use taken into account in arriving at that figure.

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

- (1) The ACT Government does not calculate a cost for empty desks in ACT Government schools.

(2) Not applicable.

(3) Not applicable.

**Ginninderra district high school  
(Question No 1093)**

**Dr Foskey** asked the Minister for Education and Training, upon notice, on 4 May 2006:

- (1) What transitional arrangements were put in place by the Department of Education and Training to facilitate the transfer of students from the Ginninderra District High School (GDHS) to other schools;
- (2) What was the expenditure incurred in providing each of the transitional arrangements, including (a) liaison/curriculum planning, (b) counselling, (c) principal's planning, (d) implementation/project team, (e) library amalgamation, (f) assets redistribution, (g) records disposal, (h) property disposal and (i) staff development;
- (3) What consultants were employed to advise on the closure and transition arrangements and what was the total cost of the consultancies;
- (4) Were there any staff redundancies as a result of the closure of GDHS and what was the total cost of the redundancy packages;
- (5) What refurbishment has been undertaken in schools receiving students from GDHS and/or its priority enrolment area in this financial year, and what is the expenditure on the refurbishment.

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

- (1) The principal of Ginninderra District High School met with attending and prospective students and their parents/carers to design personal transition arrangements. Curriculum, friendship group, transport and school uniform issues were considered. Other schools held information and open days to assist parents and students make a decision about the most appropriate alternative school.
- (2) Expenditure included:
 

a)	Liaison/Curriculum Planning:	Covered by Department staff.
b)	Counselling:	Department counselling services were utilised.
c)	Principal's planning:	\$52,769
d)	Implementation/project team:	\$73,672
e)	Library amalgamation:	Nil. The library assets were distributed to schools.
f)	Assets redistribution:	\$11,883 \$10,000 to remove the heating plant and associated equipment from GDHS (for use at another site)
g)	Records disposal:	Nil. Records have been distributed or stored according to ACT Government guidelines.

- h) Property disposal: The disposal of property not redistributed or sold will be included in the contract to demolish, the cost of which is yet to be determined.
- i) Staff development: Nil

- (3) Colmar Brunton Social Research were contracted to conduct a number of focus group meetings and report on community concerns of a proposal to build a P-10 school in an area of declining enrolments. The cost of the research was \$36,533.

The architectural firm of Bligh Voller Nield Pty Ltd was engaged to provide consultancy services related to an investigation of the best proposed site for the construction of a new Preschool to Year 10 School in the West Belconnen region. The cost of the consultancy was \$15,126.

The Department of Urban Services – Facilities Management was asked to undertake an audit advising on what items fixed within the building may be salvageable from GDHS. The cost of the audit was \$3,000.

- (4) No.

- (5) There has been no refurbishment at the schools that received former Ginninderra District High School (GDHS) students, relating specifically to the closure of GDHS.

### **Public service—employees (Question No 1094)**

**Mr Smyth** asked the Chief Minister, upon notice, on 4 May 2006:

- (1) What was the total number of people employed by the ACT Public Service at 30 June of (a) 2001, (b) 2002, (c) 2003, (d) 2004 and (e) 2005;
- (2) What was the net loss or gain of employees in each of the years listed in part (1);
- (3) What is the current total number of people employed by the ACT Public Service;
- (4) What is the total number of (a) voluntary redundancies accepted, (b) retirements, (c) resignations, (d) terminations/dismissals, (e) appointments and (f) any other additional Territory employees in the ACT Public Service for the 2005-06 financial year to date.

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

- 1)\* (a) 18,044  
 (b) 17,964  
 (c) 18,791  
 (d) 19,497  
 (e) 19,070

The above figures represent total paid headcount at 30 June in each year as previously advised in State of the Service reports for each respective year.

- 2) 30 June 2001 – 30 June 2002: net decrease of 80 employees  
 30 June 2002 – 30 June 2003: net gain of 827 employees  
 30 June 2003 – 30 June 2004: net gain of 706 employees  
 30 June 2004 – 30 June 2005: net decrease of 427 employees
- 3)\* As at 1 May 2006, there were 18,614 people employed in the ACT Public Service.
- 4) (a) 126 voluntaries redundancies  
 (b) 234 retirements  
 (c) 922 resignations  
 (d) 13 terminations/dismissals  
 (e) 660 appointments  
 (f) All Territory employees are included in the above figures, except for contract executive staff. Between 1 July 2005 and 1 May 2006, the number of contract executive staff decreased from 150 to 149.

\* All paid headcount figures are subject to variables such as number of casuals and board members paid at that date.

### **Finance—Treasury reports (Question No 1095)**

**Mr Smyth** asked the Treasurer, upon notice, on 4 May 2006:

What regular reports does Treasury provide the Treasurer and at what frequency are they provided.

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

Treasury provides the following reports to address requirements of the *Financial Management Act 1996*:

- Annual and Financial Report (provided annually);
- Mid-Year Review (provided annually);
- Half-yearly performance report (provided half-yearly);
- Consolidated Financial Management Report (provided quarterly); and
- Report on Exposure to Derivatives (provided monthly).

Treasury also provides Capital Works Program Progress Reports on a quarterly basis.

### **ACTION bus services—early departures (Question No 1096)**

**Mr Seselja** asked the Minister for the Territory and Municipal Services, upon notice, on 9 May 2006:

- (1) How many reported incidents have there been of early bus departures by ACTION buses over the last twelve months;
- (2) What has been the response by ACTION management to each of those complaints;

- (3) What specific efforts are being undertaken by ACTION to monitor early bus departures;
- (4) What is the average weekly passenger count departing northbound from the City interchange on routes 33 and 34;
- (5) What is the average weekly passenger count arriving at the City interchange on routes 33 and 34;
- (6) On what basis is an assessment of need for an increase in bus service on a particular route undertaken.

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

- (1) ACTION does not specifically record early bus departures complaints. However from May 2005 to April 2006 there were 171 customer complaints received regarding early running, from 717,522 bus services that ACTION provided.
- (2) Complaints are investigated and where appropriate, action taken.
- (3) Regular reliability checks in the field; monitoring of services by managers through ACTION's management information system.
- (4) The average weekly passenger boardings for Route 33 is approximately 5,950. The average weekly passenger boardings for Route 34 is approximately 12,400. ACTION's current system does not have capacity to record passengers alighting, or part-journeys.
- (5) See answer (4).
- (6) Patronage levels.

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### **Tourism—marketing campaign (Question No 1097)**

**Mr Smyth** asked the Minister for Tourism, Sport and Recreation, upon notice, on 9 May 2006:

- (1) Has a review been conducted of the "See yourself in Canberra" branding campaign; if so,
  - (a) what was the outcome of this review, (b) when will the report of the review be made public, (c) who conducted the review and (d) what did the review cost;
- (2) If no review of this campaign has been undertaken, what plans are being made to undertake a review.

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

- (1) Yes
  - (a) The effectiveness of the brand campaign ('awareness of the brand' and 'preference to visit') is tracked continuously in our key target markets of Sydney, Brisbane, regional New South Wales and Adelaide on a rolling basis

- (b) In ACTC's Annual Report
- (c) Roy Morgan Research
- (d) The contract with Roy Morgan is over two years and the cost is \$220,347.05 including GST

(2) Not applicable.

**Public service—senior executive service  
(Question No 1098)**

**Mr Smyth** asked the Chief Minister, upon notice, on 9 May 2006:

- (1) How many officers in the senior executive service were employed in the ACT Government as at 30 June 2005;
- (2) How many officers in the senior executive service were employed in the ACT Government at the end of each month between 1 July 2005 and 30 April 2006;
- (3) If there has been an increase in the number of senior executive staff employed since 1 July 2005, in what position and which department or agency are these staff employed.

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

- (1) There were 150 chief executives and executives at 30 June 2005.
- (2) The number of chief executives and executives fluctuates as staff leave and are replaced. The numbers at the end of each month between 1 July 2005 to 30 April 2006 were:

31 July 2005	147
31 August 2005	146
30 September 2005	148
31 October 2005	152
30 November 2005	154
31 December 2005	153
31 January 2006	152
28 February 2006	153
31 March 2006	151
30 April 2006	149

- (3) There were 149 chief executives and executives employed at 30 April 2006 so there has not been an increase in the number of chief executives and executives employed since 1 July 2005.

**Housing ACT—fraud control  
(Question No 1100)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) What forms of fraud control has Housing ACT instigated to combat any evidence of fraud

committed by Housing ACT (a) staff, (b) maintenance contractors and (c) tenants during 2005-06.

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

- (1) (a) The Department of Disability, Housing and Community Services has a risk management plan which identifies possible fraud risks and how such risks should be managed and treated. Any allegations of fraud relating to Housing ACT staff are referred to the Department's Audit and Review unit who undertake the requisite investigations. This includes any matters raised under the *Public Interest Disclosure Act 1994* and these issues are subsequently reported in the Department's Annual Report.
  - (b) Management of the maintenance contract with the Total Facility Manager (TFM) is monitored in the context of the Department's risk management plan as set out above. Housing ACT also maintains a quality assurance process of the TFM contract including random audits. As part of its contractual obligations the TFM also maintains a quality assurance and fraud prevention framework to control fraud associated with the delivery of the maintenance services. This includes staff and subcontractor screening and regular audits of work quality, timeliness and administration.
  - (c) In relation to tenants, Housing ACT pursues fraud issues within the legislative framework under which it operates.
- 

### **Housing ACT—performance audit (Question No 1101)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) In relation to action initiated by your Department on 17 of the 27 recommendations made in the Auditor-General's Performance Audit Report (Public Housing), which recommendations have you actioned;
- (2) When will Housing ACT be adopting the remaining ten recommendations.

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

- (1) Housing and Community Services has initiated action on recommendations 2, 3, 4, 5, 6, 7, 10, 12, 14, 16, 17, 18, 19, 22, 25, 26, and 27.
  - (2) Implementation plans are being developed for the remaining recommendations that have been agreed by the Department. These plans will specify the timeframes for implementation of each recommendation. Some recommendations involve more work and changes to policy and/or process but it is expected that most recommendations will be substantially implemented by the end of the calendar year.
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### **Housing ACT—allocations (Question No 1102)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) Why are Housing ACT tenants or applicants unable to access comprehensive information about allocation timeframes for public housing;
- (2) If such information is readily available, why is it not published on the internet in a format that would assist tenants and applicants to make an informed decision about what forms of housing to access and how long it would take to access Housing Assistance from the ACT Government.

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

- (1) Housing assistance is allocated in chronological date of application order depending on the priority status afforded to an application. Waiting times for different housing types and geographical location can only be provided on an indicative basis only, given stock availability, turnover and client preferences.
- (2) The Department has agreed to implement this recommendation. I understand previous policy was based on a concern of raising expectations of applicants.

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**Housing ACT—allocations  
(Question No 1103)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) What is Housing ACT doing to ensure that incidences of incorrect allocation or mismatching of a property does not occur during the allocation process;
- (2) How many known incidences of incorrect allocation or property mismatch have occurred during 2005-06.

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

- (1) Housing ACT has developed a pre allocation case conference model for those clients presenting with multiple issues.
- (2) One.

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**Housing ACT—allocations  
(Question No 1104)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) How many tenants during 2005-06 have been assisted by Housing ACT to downsize to properties that match actual household size;
- (2) What efforts are being made by Housing ACT to provide more flexibility for tenants who are in a position and are willing to downsize to more appropriate forms of housing that meet actual need.

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



- (1) To date this financial year 51 households.
  - (2) Housing ACT is looking at current procedures around transfer applications for tenants wishing to move into smaller properties.
- 

### **Housing ACT—tenant behaviour (Question No 1105)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) Will Housing ACT's release a policy on anti-social or disruptive behaviour by tenants by the end of 2006; if so, (a) what steps are being undertaken to adopt such a policy and (b) how will the policy assist Housing ACT tenants to adhere to their tenancy agreements;
- (2) What sections of the Residential Tenancies Act 1997 is the ACT Government considering amending to reflect a policy drafted to combat anti-social or disruptive behaviour by Housing ACT tenants .

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

- (1) Yes.
    - (a) A draft policy has been developed after a community consultation process and is currently being finalised with input from the Joint Champions Group (b) the policy will seek compliance with tenancy obligations by increasing awareness of tenancy obligations, promoting dispute resolution and actioning tenancy breaches where required within a sustainable tenancies approach.
  - (2) The Residential Tenancies Act 1997 was amended to add sub clause 51 (d) which permits the Residential Tenancies Tribunal to terminate a tenancy on the basis of continual interference with a neighbours quiet enjoyment (effective 28 February 2006).
- 

### **Housing—asset management strategy (Question No 1106)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) When will the mid-term evaluation of the Public Housing Asset Management Strategy (2003-08), outlining any refinement of policy on performance monitoring and evaluation in relation to asset management, be released.

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

- (1) The Department has commenced the mid term evaluation of the Public Housing Asset Management Strategy (PHAMS). If this evaluation finds that the PHAMS requires revision a revised PHAMS will be developed and made available.
-

**Housing ACT—acquisitions  
(Question No 1107)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) What steps is Housing ACT taking to formally evaluate the cost-effectiveness of purchasing properties, with reference to the benefits or downsides of purchasing established properties or new construction of housing;
- (2) When will Housing ACT, based on any analysis of property acquisition, develop an acquisition plan that considers a capital program and sets targeted acquisition based on forecasts of tenant/applicant needs for each region in the ACT and demand for housing types.

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

- (1) Housing ACT has advised in its management response to the Auditor-General's recommendation on this issue that it will establish a framework for regular formal evaluation of the cost-effectiveness of each mode of property acquisition as part of the implementation of the Public Housing Asset Management Strategy.
- (2) See above.

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**Housing ACT—unrecoverable debts  
(Question No 1108)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

Did Housing ACT write off \$1million in rental, sundry and other unrecoverable debts; if so, what is the current level of debt left outstanding between Housing ACT and tenants who have monies classified as a debt with Housing ACT.

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

- (1) No

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**Housing ACT—debt notification  
(Question No 1109)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) Why is the debt notification process only activated by Housing Managers when a tenant's rental account balance falls below zero;
- (2) How many incidences of this nature occurred in (a) 2001-02, (b) 2002-03, (c) 2003-04, (d) 2004-05 and (e) 2005-06;
- (3) If the tenancy agreement stipulates that a tenant's rental account must be maintained at two weeks in advance, why has Housing ACT allowed tenants to fall into debt

unnecessarily due to an inconsistency in the delivery of its policy on debt management and notifications process.

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

- (1) The tenant is not in debt until the account balance falls below zero.
  - (2) The member's question is unclear and cannot be answered in its current form.
  - (3) Housing ACT does not allow tenants to fall into debt unnecessarily. The tenant will only be paid up two weeks in advance at the beginning of the fortnight.
- 

### **Housing ACT—rent payments (Question No 1110)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

What percentage of Housing ACT tenants, in receipt of some form of Centrelink payment, have their rent automatically direct debited to pay Housing ACT.

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

Approximately 75% of tenancies where any household member is in receipt of Centrelink payments have their rent paid automatically.

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### **Housing ACT—HomeNet tracking system (Question No 1111)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

- (1) What steps is Housing ACT taking to purchase a new tracking system to replace the current HomeNet system;
- (2) When does Housing ACT expect to bring the system on-line and how much is it anticipated to cost Housing ACT to install the new system.

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

- (1) Housing ACT is about to embark upon a tender process to procure a replacement system for HomeNet. The tender documents are to be issued in late May 2006.
  - (2) It is anticipated that the new system will be operational by January 2008. It is not appropriate to provide a cost estimate at this time given that the tender process is about to commence.
- 

### **Housing ACT—performance audit (Question No 1112)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 9 May 2006:

How is Housing ACT reviewing its accountability indicators to ensure that, wherever possible, improvements can be made to assist with providing a comprehensive view of Housing ACT's performance.

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

- (1) Housing ACT will review its accountability indicators in two phases. The first phase will be those that can be implemented for the 2006-2007 budget. The second phase will be any further improvements for future budgets.

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**Public service—rental payments  
(Question No 1116)**

**Mrs Dunne** asked the Attorney-General, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

None

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**Public service—rental payments  
(Question No 1118)**

**Mrs Dunne** asked the Minister for Planning, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) No agencies or units in the planning portfolio rent space in any ACT Government school.
- (2) Not applicable.

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**Public service—rental payments  
(Question No 1119)**

**Mrs Dunne** asked the Minister for Women, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) Nil
  - (2) Not applicable
- 

**Public service—rental payments  
(Question No 1120)**

**Mrs Dunne** asked the Minister for Police and Emergency Services, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) None.
  - (2) Not applicable.
- 

**Public service—rental payments  
(Question No 1121)**

**Mrs Dunne** asked the Minister for Tourism, Sport and Recreation, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) and (2) Nil.
- 

**Public service—rental payments  
(Question No 1122)**

**Mrs Dunne** asked the Minister for Business and Economic Development, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) and (2) Nil.
- 

**Public service—rental payments  
(Question No 1123)**

**Mrs Dunne** asked the Minister for the Arts, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) Neither ArtsACT nor the Cultural Facilities Corporation rent space in ACT Government Schools.
  - (2) Nil
- 

**Public service—rental payments  
(Question No 1124)**

**Mrs Dunne** asked the Minister for Indigenous Affairs, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) Nil.
  - (2) Not applicable.
- 

**Public service—rental payments  
(Question No 1125)**

**Mrs Dunne** asked the Minister for Industrial Relations, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) No agencies and units of ACT Government departments falling within my Industrial Relations portfolio current rent space in ACT Government schools;
  - (2) See answer to part (1) above.
- 

**Public service—rental payments  
(Question No 1126)**

**Mrs Dunne** asked the Minister for Disability and Community Services, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) None.
  - (2) None.
- 

**Public service—rental payments  
(Question No 1127)**

**Mrs Dunne** asked the Minister for Education and Training, upon notice, on 10 May 2006:

- (1) What agencies and units of ACT Government departments falling within your portfolio(s) currently rent space in ACT Government schools;
- (2) How much rent is paid per annum by the agencies and units referred to in part (1).

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

- (1) The accommodation needs of the agencies and units within the Education and Training portfolio are managed centrally by the Department of Education and Training. While the vast bulk of the activities of the Department are delivered in schools, no areas within the portfolio currently rent space within schools.
  - (2) Nil
- 

**Ginninderra district high school  
(Question No 1128)**

**Mrs Dunne** asked the Minister for Education and Training, upon notice, on 10 May 2006:

- (1) Have any new school bus services commenced since the closure of Ginninderra District High School;
- (2) How many students currently enrolled in ACT Government schools are former students of Ginninderra District High School;
- (3) What is the average cost per student per annum for transport to and from school of the students referred to in part (2).

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

- (1) The Department does not collect data on new bus services.
  - (2) At the February 2006 Census, 218 students enrolled in ACT Government schools were former students of Ginninderra District High School.
  - (3) The Department does not calculate a cost for transport of students.
- 

**Ginninderra district high school  
(Question No 1129)**

**Mrs Dunne** asked the Minister for the Territory and Municipal Services, upon notice, on 10 May 2006:

- (1) Have any new school bus services commenced since the closure of Ginninderra District High School;
- (2) How many students currently enrolled in ACT Government schools are former students of Ginninderra District High School;
- (3) What is the average cost per student per annum for transport to and from school of the students referred to in part (2).

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

- (1) The transfer of some of the students to Melba High School resulted in one extra school service to this school.
  - (2) This question does not come under my portfolio responsibility.
  - (3) ACTION does not collect this information.
- 

**ACTION bus services—schools  
(Question No 1130)**

**Mrs Dunne** asked the Minister for the Territory and Municipal Services, upon notice, on 10 May 2006:

- (1) How many, and what, dedicated ACTION bus services to government schools currently operate in the ACT;



- (2) How many, and which, of these dedicated bus services serve ACT government high schools;
- (3) How many, and which, ordinary bus route services currently serve ACT government primary schools.

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

- (1) Approximately 312 dedicated school services are provided by ACTION for government and non-government schools.
- (2) ACTION provides dedicated school services to all Government high schools. Dedicated school services provided – **Alfred Deakin High** – 490; 653; 455; 491; 493; 512; 514; 545; 546; 404; 433; 513; 559; 401; 511; 560. **Amaroo School** – 427; 607. **Belconnen High** – 408; 599; 430; 438; 440; 441; 442; 453; 458. **Calwell High** – 433; 651; 541; 605. **Campbell High** – 454; 403; 411; 448; 449. **Canberra High** – 668; 438; 440; 450; 451; 462; 594. **Caroline Chisholm High** – 543; 821. **Gold Creek High** – 422; 427; 51; 52; 410; 517; 601; 602; 607; 609. **Kaleen High** – 452; 464; 475. **Kambah High** – 404; 555; 595; 665; 401; 498; 500; 597; 661. **Lanyon High** – 542; 583; 547; 553. **Lyneham High** – 619; 620; 531; 548; 593; 596; 598; 623. **Melba High** – 497; 672; 483; 510; 611; 625. **Melrose High** – 433; 555; 568; 585; 586; 589; 616; 628; 678; 692; 417; 516; 526; 540; 556; 629; 636; 659; 663; 667; 680; 697. **Stromlo High** – 404; 433; 501; 503; 513; 401; 479; 504; 505; 506; 507; 511. **Telopea Park** – 482; 478; 484; 485; 523; 524. **Wanniassa High** – 404; 665; 401; 536; 664.
- (3) ACTION route network services all ACT government primary schools. It should be noted that approximately 50% of boardings by school students – primary and high school – use ACTION's route network.

### **Schools—space requirements (Question No 1131)**

**Mrs Dunne** asked the Minister for Education and Training, upon notice, on 10 May 2006:

- (1) What are the space requirements for government primary schools, high schools, colleges and special schools;
- (2) How have these requirements been determined and what factors are taken into account in their determination;
- (3) When were these space requirements formulated and when were they last reviewed;
- (4) Have these space requirements been revised in light of the new developments in education regarding the increased enrolments of special needs students in mainstream government schools.

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

- (1) The following ratios are used for the purposes of calculating space in schools;

- a general classroom space in a primary school is generally considered capable of accommodating an average of 25 students;
  - a secondary school classroom space, including specialist spaces is considered capable of accommodating an average of 19 students; and
  - for special needs students (in mainstream schools) a classroom space is generally considered capable of accommodating 6 to 8 students, although this does depend upon the program and the students.
- (2) School space calculations are dependent upon educational/curriculum needs, building and architectural design constraints, specific educational requirements and the number of rooms available for teaching, with additional space allowances for special classes. The total space available at a school is determined by multiplying the total rooms available by the average number of students able to be accommodated in a classroom (as outlined in (1)).
- (3) School space calculations have developed and been refined over a period of time. The latest comprehensive review of school space took place preceding the introduction of school based management in 1997. More recently, space calculations were revised and adjusted in 2003 due to the introduction of lower class sizes in Kindergarten to Year 3.
- (4) The Department recognises that special needs students and some specific programs have an impact on school space, and allowance for this is made in space calculations. The Department also makes allowance for this in new schools providing additional spaces for special needs students as evidenced at Amaroo School and as proposed in the design of the Harrison school.

### **Schools—staff costs (Question No 1132)**

**Mrs Dunne** asked the Minister for Education and Training, upon notice, on 10 May 2006:

- (1) What is the average total cost per annum of employing and supporting teaching and administrative staff in an ACT government (a) primary and (b) high school;
- (2) How much money, on average, is allocated per annum for school-based management to an ACT government (a) primary and (b) high school;
- (3) What non-school tenants currently lease space in ACT Government (a) primary and (b) high schools;
- (4) How much total rent, on average, is charged per annum by an ACT Government (a) primary and (b) high school to non-school tenants in the form of (i) ACT Government agencies and units and (ii) non-government and community organisations.

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

- (1) (a) The average cost per annum of employing teaching and supporting administrative staff in an ACT Government primary school is approximately \$1.6m. This figure includes salaries, employee provisions and costs associated with casual employment.

- (b) The average cost per annum of employing teaching and supporting administrative staff in an ACT Government high school is approximately \$4.0m. This figure includes salaries, employee provisions and costs associated with casual employment.
- (2) (a) \$211,689 was the average allocation for 2004/05 for school-based management for primary schools.
- (b) \$483,510 was the average allocation for 2004/05 for school-based management for high schools.
- (3) (a) refer to Attachment A  
(b) Nil
- (4) (a) \$344 467.00  
(b) Nil
- (i) Nil  
(ii) \$344 467.00

**ATTACHMENT A**

**List of Tenants in ACT Government Schools**

Australian Council of State School Organisations Inc (ACSSO)  
Chinese Australian Early Childhood Centre (Association for Learning  
Mandarin in Australia Inc)  
Communities at Work  
Crawford James & Marshall O'Brien  
Dr Sue Wareham  
Early Childhood Australia Inc  
Family Therapy Clinic  
French Australian Preschool Association Inc  
Gumnut Child Care Centre  
Heraldry & Genealogy Society  
National Centre for Road Trauma Support Limited  
National Parks Association  
Nature & Society Forum Incorporated  
Noah's Ark Resource Centre  
Parent Support Service  
Sharing Places Inc (located at 2 sites)  
Southern ACT Catchment Group Inc  
St John Ambulance Australia  
Subud Australia Incorporated  
The Shepherd Centre Pty Ltd  
Tibetan Buddhist Society of Canberra Inc  
UnitingCare Mirinjani Village  
Warehouse Circus Incorporated

Weston Creek Community Association Incorporated (Weston Creek Child Care Centre)  
Woden Community Service (Weston Creek Family Day Care)  
YMCA of Canberra  
Association of Parents & Friends of ACT Schools Inc  
Canberra Blind Society (Braille Transcribers)  
Parent & Citizen Association  
Preschools Association  
Life Education (ACT) Inc

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### **Housing ACT—tenant downsizing (Question No 1133)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006:

How many Housing ACT tenants, occupying (a) two bedroom, (b) three bedroom and (c) four bedroom properties, are eligible to downsize to a one bedroom dwelling or Older Persons Apartment.

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

- (1) The information sought by the Member is not available. Of the total 8974 rebated households, 1081 (12.05%) are eligible to downsize to a one bedroom dwelling.
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### **Housing ACT—full market renters (Question No 1134)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006:

- (1) What response, if any, has been received by Housing ACT's written request to the Privacy Commissioner seeking an exemption to obtain information on full market renters, similar to the information collected on tenants who receive a rental rebate;
- (2) What amendments have been made to the Public Rental Housing Assistance Program that would reflect the need for Housing ACT to acquire private details of all housing tenants, whether they are full market or rebated renters.

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

- (1) Housing ACT has not written to the Privacy Commissioner to seek an exemption. However, the Department is exploring a range of policy options in order to be able to gain a more accurate picture of the demographic issues relating to Housing ACT's market renters.
  - (2) Until the full range of options has been explored, no amendments have been made to the Public Rental Housing Assistance Program.
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**Housing ACT—conflict management training  
(Question No 1135)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006:

- (1) What further measures is Housing ACT putting in place to ensure that all Housing Managers are provided with the opportunity to undertake conflict management or situational awareness training;
- (2) What consideration is being given to offering Housing Managers access to safety training programs that are conducted by the Australian Federal Police (AFP);
- (3) If regular access for Housing Managers to AFP safety training programs is deemed necessary, how often will this form of training be offered.

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

- (1) Housing ACT has scheduled appropriate training for Housing Managers in its 2006/07 training calendar including; Dealing with Difficult Clients; Relationship Management/Behavioural Styles, Mental Health, First Aid and Domestic Violence.
- (2) Housing ACT has not engaged with the AFP to conduct any formal training programs for Housing Managers. The AFP have attended staff briefings to discuss situational awareness strategies for field staff.
- (3) Training needs for all staff are assessed regularly.

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**Housing ACT—HomeNet tracking system  
(Question No 1136)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006:

- (1) Is there any established link between information recorded in relation to debt management on a debt tracker and HomeNet; if not, why not;
- (2) If Housing ACT is to adopt a new database to replace HomeNet, how will data on debt be integrated with broader tenancy management.

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

- (1) There is no established link between the debt tracker and HomeNet because it is technically very complex to provide such a link.
- (2) In replacing HomeNet, Housing ACT will be seeking a system that provides comprehensive and integrated support for debt and tenancy management.

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**Housing ACT—tenant debts  
(Question No 1137)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006:

- (1) As of 1 May 2006 (a) how many Housing ACT tenant accounts were in debt and (b) what was the average amount of debt per account
- (2) Of the accounts in debt, how many, both in numbers and percentage terms, were less than \$1,000.

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

- (1) (a) As of 6 May 2006 the number of HACT tenant accounts in debt were:
  - (i) 1,566 rent accounts
  - (ii) 2,071 sundry accounts.
- (b) As of 6 May 2006 the average amount of debt per account was \$470.49.
- (2) There are 3166 accounts (87.05%) in debt less than \$1,000.00. This includes rent accounts (1,229) and sundry accounts (1,937).

### **Housing ACT—multiunit complexes (Question No 1138)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006:

Of the existing multi-unit public housing complexes managed by Housing ACT, (a) when was an assessment undertaken to ensure complexes are compliant with current Building Code of Australia (BCA) standards and (b) which complexes were assessed as being compliant with the BCA standards.

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

- (1)(a) An assessment was undertaken in 1999 of 25 multi-unit properties each having more than 40 dwellings by Ecumenical Housing Inc.
- (b) The report found that overall the structure of most buildings was sound but that many buildings did not conform with current Building Code of Australia (BCA) requirements with two aspects particularly noted - balustrades on stairwells and the lack of fire rated doors.

Many buildings in the ACT and also across Australia do not comply with current BCA requirements. There is nothing unusual in this. There are processes in place where significant upgrades or expenditure on an asset triggers a requirement to upgrade to current BCA standards. Notwithstanding this the Department does work to ensure that the buildings do remain safe, as can be seen in the progressive upgrading of the fire safety capacity of many of the multi-unit sites.

The report also noted that a detailed assessment of each site was not possible - time, budget and lack of consistent information about the site and building plans.

A detailed BCA assessment would require intrusive/destructive investigation of the building fabric.

The report has been used as a basis for undertaking upgrade works at various multi-unit sites as well as decisions around redevelopment of particular sites, consistent with the Public Housing Asset Management Strategy.

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**Housing ACT—performance audit  
(Question No 1139)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006:

With reference to page 52 of the Auditor-General's Performance Report (Public Housing), under Housing ACT's mutual exchange policy, under what circumstances would a tenant, paying full market rent, be ineligible to enter into a mutual exchange with another tenant.

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

Where a tenant is not moving to a dwelling with fewer bedrooms.

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**Housing ACT—performance audit  
(Question No 1140)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006 (*redirected to the Acting Minister for Housing*):

Based on a key finding made by the Auditor-General on page 56 of the Auditor-General's Performance Report (Public Housing), what is Housing ACT doing to improve assessment and setting of full market rent for public housing tenants to ensure that an accurate rent assessment is carried out that reflects actual market rent paid in the private rental market.

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

Housing ACT believes the current process is robust and provides sound defensible valuations. However, in light of the Auditor-General's comments the process will be reviewed and further assurance sought that the valuations are robust and defensible.

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**Housing ACT—HomeNet tracking system  
(Question No 1141)**

**Mrs Burke** asked the Minister for Housing, upon notice, on 10 May 2006:

- (1) What is Housing ACT doing to ensure a consistent approach is undertaken to utilise a flagging system on HomeNet, and consequently any database that replaces HomeNet, to alert Housing Managers of all clients who are identified as having potential complex needs when client service visits are carried out;
- (2) During 2005-06, how many tenants identified with complex needs through client service visits, were tagged using Housing ACT's flagging system on HomeNet.

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

- (1) Housing ACT will finalise implementation on the introduction of a consistent approach to flagging potentially difficult clients to staff via Homenet in May/June 2006.
  - (2) Not applicable.
- 

**Policing—firearms  
(Question No 1142)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 11 May 2006:

- (1) What firearm recertification procedures are in place for ACT police;
- (2) How often must police officers recertify their firearm use;
- (3) From what distance is an officer required to hit a firearm target when taking the recertification test and is this a standard distance across all other Australian jurisdictions;
- (4) What requirements for firearm recertification are in place regarding the accuracy of the shots taken at the target;
- (5) What restrictions is an officer who fails to recertify their firearm certification placed on and can they participate in active patrols and other general sworn duties or are they restricted to office duties;
- (6) How many officers have failed their firearm recertification test in (a) 2002-03, (b) 2003-04, (c) 2004-05 and (d) 2005-06 year to date;
- (7) How many (a) practice sessions are officers allowed before sitting the firearm recertification and (b) rounds are they permitted to discharge.

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

- (1) All sworn police officers must maintain a valid firearm certificate unless medically incapable of completing the required training.
- (2) Annually.
- (3) A range of tasks, at different distances, is incorporated into a 'Serial Qualifying Test'. Distances used within the test are 3, 7, 14 and 20 metres. Standards are different across other jurisdictions.
- (4) All shots fired within the Serial Qualifying Test must strike the target within a body silhouette.
- (5) An officer who does not hold a current firearm certificate is temporarily deployed to a non-operational role and does not participate in active patrols. The officer may, however, perform a range of non-operational duties ordinarily conducted by sworn officers.
- (6) An officer's test results are manually recorded during the Serial Qualifying Test. Officers who pass the test then have an electronic record updated to reflect their recertification. All test records are retained, however the labour required in collating records prevents



specific details of the number of course participants who fail recertification being maintained. The test is passed by 30% - 40% of participants during their initial attempt. The balance of participants pass during subsequent testing which is conducted within a short period of time. Officers are required to complete subsequent testing as soon as practicable. A maximum of 20 participants are able to undertake a course. Courses average 18 – 20 participants. A minimum composition of one instructor to three students applies to all courses and ensures close supervision and quality of instruction.

- (7) (a) A minimum of one, and commonly two, practice tests are completed by an officer before undertaking the Serial Qualifying Test.
  - (b) The recertification process requires an average of 150 discharges per officer.
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### **Trail bikes—complaints (Question No 1143)**

**Mr Pratt** asked the Minister for Police and Emergency Services, upon notice, on 11 May 2006:

- (1) How many trail bike riders have been charged with illegal riding in nature parks in the ACT for each month of the 2005-2006 financial year to date;
- (2) What offences have those illegal riders been charged with;
- (3) How many complaints have been received regarding illegal trail bike riders in the ACT for each month of the 2005-2006 financial year to date;
- (4) Were ACT Policing officers involved in the recent operation by NSW Police and the National Parks and Wildlife Service targeting illegal trail bike riders in the areas surrounding Canberra; if so, in what capacity did they participate; if not, why not.

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

- (1) There is no specific offence category that relates only to trail bike riders for reporting purposes. Therefore, in order to identify incidents and offences involving only trail bike riders requires manual data extraction and examination of individual records which would require a significant and protracted commitment of resources, and is not possible within the required timeframe.
  - (2) Refer to the answer to Question 1.
  - (3) Refer to the answer to Question 1.
  - (4) ACT Policing was not involved as the area covered is not within the ACT's jurisdiction.
- 

### **Policing—employment security checks (Question No 1147)**

**Mrs Dunne** asked the Minister for Police and Emergency Services, upon notice, on 11 May 2006 (*redirected to the Chief Minister*):

- (1) What was the time period allowed at the end of the financial years (a) 2001-2002, (b) 2002-2003, (c) 2003-2004, (d) 2004-2005, (e) 2005/2006 for a police security check to be carried out prior to a person starting employment;
- (2) Has the time period allowed for a police security check to be carried out prior to employment increased over this period;
- (3) If the time allowed has increased, (a) how is the increase justified, given that it slows down employment in the ACT and (b) what is the Government doing to reduce the time allowed.

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

- (1) In relation to ACT Public Service staff, the time periods allowed in the financial years quoted for a police security check to be carried out prior to a person starting employment vary across agencies.

One agency has reported that it does not have a specified timeframe for responses. Another agency has reported that statistics are not maintained as to the time between lodging a request for a police check and the return of the police report. That agency notes that most reports are received within a few days of the request, however, the actual time can vary based on a number of factors including the individual concerned.

Four agencies have reported that the average response time over the 5 year period is 5 days. One agency has reported that the usual timeframe over the 5 year period to complete a standard AFP 'no exclusion' police check is 10-14 working days.

One agency has reported time frames of up to 6 weeks for each of the years in the period 2001-2002 to 2004-2005 (ie (a) to (e) above) and a time frame of up to 2 weeks in 2005/2006.

One agency has reported that it was not established in 2001-2002, and had the following time periods in the other financial years:

- (b) 2002-2003 – 16 days;
- (c) 2003-2004 – 28 days;
- (d) 2004-2005 – 28 days; and
- (e) 2005/2006 – 19 days.

- (2) One agency has reported that the time period allowed for a police security check to be carried out prior to employment has increased since 2002-2003. All other agencies have reported that there has been no such increase.
- (3) The agency that reported the increasing time period is examining options currently used by another ACTPS agency. The agency liaises directly with the current service provider, continually tracking the progress of police checks.

### **Environment—Myna bird trapping (Question No 1148)**

**Mr Seselja** asked the Minister for the Territory and Municipal Services, upon notice, on 11 May 2006:

- (1) How many bird traps were used in the trial trapping of Myna birds program;
- (2) How many Myna birds were trapped;
- (3) Was there any disagreement between Environment ACT and the researcher from the Australian National University about the conclusions of the trial; if so, what was the nature of the disagreement;
- (4) What options for the control of Myna birds are being considered by Environment ACT.

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

- (1) In the 2003 trial program to trap Myna birds, four traps were used over an 18 month period.
- (2) More than 300 Myna birds were trapped during this trapping trial.
- (3) There was no disagreement between the researcher from the ANU and Environment ACT about the conclusions from the trapping trial.
- (4) Environment ACT is continuing to collaborate with the researcher from ANU into the development of a more effective trap for Myna birds.

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**Education—university admissions index  
(Question No 1149)**

**Mr Seselja** asked the Minister for Education and Training, upon notice, on 11 May 2006:

- (1) Further to the answer to question on notice No 1054 relating to the ACT Government's use of a University Admissions Index (UAI), can the Minister (a) clarify the discrepancy apparent in the 2000 Erindale College entries, noting that it is claimed that 5 students had UAIs of 98.5 and above, but just 4 had UAIs of 98 and above, (b) confirm that in 2001 there were no Year 12 students at Orana and St Francis Xavier, (c) provide the missing 2003 entries for Lake Ginninderra for the 97 UAI level, (d) provide the missing 2004 entry for Lake Ginninderra for the 95 UAI level, (e) explain why there are no 95 and over entries for St Edmund's College in 2005 in view of the fact that at least one 2005 St Edmund's student has received a UAI in excess of 95.00, (f) explain why only 12 ACT students received Australian Students Prizes for 2003 given that 15 separate ACT schools or colleges had students with UAIs of 98.50 or higher in 2003, (g) explain why only 12 ACT students received Australian Students Prizes for 2004 given that 13 separate ACT schools or colleges had students with UAIs of 98.50 or higher in 2004, (h) advise, for each individual year from 1998 through to 2005, and for each individual ACT college or school (government and non-government alike) (i) how many students received a UAI of 85.00 or greater, (ii) how many students received a UAI of 80.00 or greater, (iii) how many students received a UAI of 75.00 or greater, (iv) how many students received a UAI of 70.00 or greater, (v) how many students received a UAI of 67.00 or greater and (vi) the median UAI;
- (2) Further to the responses provided with respect to notionals, specifically, the responses to my original questions (1)(a)&(b)(ii), (2)(g), (3)(a) and (6), can the Minister advise (a)

how many students received a notional aggregate for each individual year from 1998 through to 2005, and for each individual ACT college or school (government and non-government alike), (b) how many students began Year 12 but didn't receive a Year 12 certificate for each individual year from 1998 through to 2005, and for each individual ACT college or school (government and non-government alike), (c) how many students began Year 11, but did not go on to obtain a Year 12 certificate the year after they began Year 11 for each individual year from 1997 through to 2004, and for each individual ACT college or school (government and non-government alike), (d) are notional aggregates established for ACT students who leave school at the end of Year 10, and hence do not begin Year 11 at any ACT senior secondary college or school and (e) are notional aggregates established for ACT students who leave school at the end of Year 11, and hence don't begin Year 12 at any ACT senior secondary college or school;

- (3) Further to the responses which refer to the Year 12 Study document rather than provide the sought after statistics directly, specifically the responses to my original questions (1)(a)&(b)(i)&(iii), (2)(b),(c)&(e) and (3)(a), (a) was the 2004 ACT Year 12 cohort 5093 as stated near in the very first row of the 2004 Year 12 study, or 4092, as stated by the BSSS Executive Officer in correspondence, (b) can the Minister clarify the discrepancy between the 5093 figure published in the 2004 Year 12 study and the 4092 figure quoted by the BSSS Executive Officer and (c) can the Minister provide the specific figures sought in my original questions (1)(a)&(b)(i)&(iii), (2)(b),(c)&(e) and (3)(a) in view of the fact that 5093 and 4092 are not the same and my concerns as to whether there may be other discrepancies in the Year 12 Study documents produced since 1998.
- (4) For each year since 1998, (a) how many students have had their UAIs raised after they were first issued to students following subsequent expressions of concern from students or others acting on their behalf (whether parents, schools etc) (i) in total, (ii) by at least 0.10 (UAI points), (iii) by at least 0.25, (iv) by at least 0.50, (v) by at least 1.00, (vi) by at least 2.00, (vii) by at least 2.50, (viii) by at least 3.00, (ix) by at least 4.00, and (x) by at least 5.00, (b) how many students have had their UAIs raised after they were first issued to students following subsequent threat of legal action if they were not changed (i) in total, (ii) by at least 0.10 (UAI points), (iii) by at least 0.25, (iv) by at least 0.50, (v) by at least 1.00, (vi) by at least 2.00, (vii) by at least 2.50, (viii) by at least 3.00, (ix) by at least 4.00, and (x) by at least 5.00, (c) who made the decision to raise UAIs in cases where they were raised following expressions of concern from students or others acting on their behalf and (d) who made the decision to raise UAIs in cases where they were raised following threat of legal action if they were not raised;
- (5) Noting the Minister's response to my original question (9), (a) who is the person at the Universities Admission Centre one should contact to obtain a copy of the lookup table referred to and what are the best contact details to use for this person for the purposes of obtaining this lookup table (b) has the lookup table remained the same each year since 1998 or does it vary from year to year and, if the latter, what factors determine such variation, (c) what research was done to determine the nexus between ACT and NSW year 12 results as reflected in the lookup table and who carried out this research, (d) is the Minister satisfied that the lookup table does justice to ACT students, relative to their NSW counterparts and (e) will the Minister arrange to have this lookup table placed on a convenient ACT Government website so that students, parents and other members of the public can view it.

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

Due to the complexity, number of questions, detail and resources required to answer these questions I have provided answers only to the questions that relate to the previous question

(1045) asked by Mr Seselja. However, I have offered Mr Seselja a meeting with the Executive Officer of the Board of Senior Secondary Studies to discuss the issues raised in this more recent question

(1)(a). The table provided in answer to question 1045 with respect to Erindale College in 2000 was incorrect. The correct figures are as follows.

Erindale College

2000	>=90	>=95	>=97	>97	>=98	>=98.5	>=99
Total	33	16	12	11	8	5	5

(1)(b) There were no Year 12 students for Orana and St Francis Xavier in 2001.

(1)(c)

Lake Ginninderra

2003	>=90	>=95	>=97	>97	>=98	>=98.5	>=99
Total	16	7	3	3	1		

(1)(d)

Lake Ginninderra

2004	>=90	>=95	>=97	>97	>=98	>=98.5	>=99
Total	16	7	2	2			

(1)(e) The table provided in answer to question 1045 with respect to St Edmunds' College in 2005 was incorrect. The correct table is as follows.

St Edmunds College

2005	>=90	>=95	>=97	>97	>=98	>=98.5	>=99
Total	3	1					

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