



Debates

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Tuesday, 1 May 2007

MR SPEAKER (Mr Berry) took the chair at 10.30 am, made a formal recognition that the Assembly was meeting on the lands of the traditional owners, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Ms Audrey Fagan, APM
Motion of condolence

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): I move:

That this Assembly expresses its deep regret at the death of Audrey Fagan, APM, Chief Police Officer of the ACT, a dedicated, popular and experienced police officer of the highest calibre who contributed greatly to the development of ACT Policing and the AFP and was a great role model for women within the organisation, and tenders its heartfelt sympathy to Audrey's family, friends and colleagues in their bereavement.

It is with immense sadness and regret that I rise to record my memories of Audrey Fagan and to convey to her family and her colleagues in ACT Policing and the Australian Federal Police the condolences of the government. Audrey Fagan was a police officer for more than half of her too-short life. People often wondered aloud how an individual like Audrey Fagan, a woman so gentle, so compassionate, so empathetic, could have made it so far in a tough and still male-dominated profession. That she did rise so far was a credit to both the Australian Federal Police generally and to Commissioner Mick Keelty more specifically.

Over many years the qualities that made Audrey Fagan the remarkable individual she was were noticed, nurtured and rewarded by the organisation she served and by the man who was her mentor and who, of all her colleagues perhaps, knew her best and longest. I can recall the excitement when Audrey Fagan was announced the ACT's Chief Police Officer a little under two years ago. There was the thrill that a woman had made it to the helm of ACT Policing and there was a deep pleasure that such a significant achievement belonged to a woman so respected, so admired and so approachable, with such an evident passion for community policing.

Many of us who had had something to do with the law in this town over recent decades already knew Audrey Fagan personally. I first met her in 1995 when I worked for the then federal Attorney-General, Michael Lavarch, and Audrey Fagan was the AFP liaison officer attached to the office of the then justice minister, Duncan Kerr. It says a lot about her capacity and the quality of her advice and counsel that she served three successive federal ministers in that role, contributing to the development of major pieces of policy, including the national illicit drug strategy.

As an organisation, the AFP offers its finest and its brightest members opportunities unequalled in any other police force in the country. Audrey Fagan was offered those

opportunities one after another, and excelled wherever she went. By the time she became the Chief Police Officer of our community she had seen the force in all its incarnations.

She had also seen we Canberrans at our very best and at our very worst. She had been an officer walking the beat in Woden. She had worked in fraud and criminal investigations. She had experienced the national and international facets of the force. She had worked in one of the toughest areas of policing, internal investigations, where police are pitted against their own, with all the anxiety and agony that that entails.

She had worked in the area of training, helping to inculcate in new recruits the ideals that she herself held so dear. In the last decade of her life, she worked at the highest echelons, overseeing some of the most delicate and fraught projects possible, those involving personal protection of high officeholders, witness protection, intelligence, and planning for critical events such as meetings of the commonwealth heads of government. She was intimately involved in the AFP's protective security response in the wake of the terrorist attacks on America in September 2001.

For this exemplary career, Audrey Fagan was honoured with the Australian Police Medal in 2004. A year later, in July 2005, she came back to the beat where she began her policing career. I do not believe there could have been another appointment greeted with such deep satisfaction on both sides of this chamber.

We all knew that Audrey Fagan was an officer with the intellect and the qualities to equip her to perform any job the AFP had to offer. We were glad and humbled that the job she chose to take on brought these outstanding personal qualities to the service of policing at its most fundamental and its most important—deep in the community.

The outpouring of sorrow and numb disbelief at Audrey Fagan's death is testament to the impact she had on this community. I intend that her legacy, already profound, will endure and will bear some small and, in time, sweet fruit. To that end, the government will establish a scholarship in her name and in a field that was her passion. The details are still to be finalised, in consultation with her family, but I would like to see this scholarship for tertiary study opened up to any Canberra woman working in the areas of care and protection. These women may be police officers like Audrey herself. They may be women working in allied health areas or women providing professional or social support in areas involving domestic violence or victim support.

By encouraging such women to further study and further professional development, I hope that we may deliver some dividend to the community in Audrey Fagan's name. I hope too that in this way the government will keep fresh and inspirational the image and memory of a woman who gave so much of herself—perhaps too much of herself as it turned out—to our community.

Audrey Fagan's death is a sobering blow. I offer my heartfelt condolences to her husband, Chris Rowell; her daughter, Clair; her stepchildren, Glen and Carly; Andrew Phillips; her further family; her friends; and the many AFP officers who are struggling to comprehend the reality of her death.

MR STEFANIAK (Ginninderra—Leader of the Opposition): The opposition joins with the government and the Chief Minister in offering our condolences to Audrey's husband, Chris; her daughter, Clair; and stepchildren; Andrew Phillips; her family; and all her colleagues in the AFP. The scholarship announced by the Chief Minister is a very fitting way for Audrey's memory to live on. She would be greatly appreciative of that gesture. The opposition applauds that.

We in the ACT and Australia have lost a fine servant of the people. We have lost a fine police officer whose loss will be felt not only in the ACT but Australia wide. She was the ACT's first female Chief Police Officer. In that respect, she was a role model not only for women in the AFP but women generally aspiring to top jobs and careers.

I first met Audrey when she was a young constable over 20 years ago, working from the city police station. Audrey steadily climbed through the ranks. I recall that even then, in her early years in the police force, she was a very easy person to deal with—pragmatic, very practical and absolutely dedicated. She had a fine style about her and she exuded warmth. She was professional, had an attention to detail and demonstrated a sheer dedication to the job even then, which I think was responsible for her steady rise from constable to Chief Police Officer of the AFP. She exuded not only extreme and thorough professionalism but warmth. That touched all of those who came into contact with her.

At one stage, I recall, she was the only female detective in criminal investigations. At that time, I understand, she got all the sexual assault cases. In those cases and in cases generally, she had a great rapport with witnesses, people who were victims and people who would give evidence generally in cases before the courts. The DPP certainly did not lose too many cases when Audrey Fagan was involved.

It was a delight for me to see her rise through the ranks of the police force. Her work in the territory and nationally, as the Chief Minister so ably expanded on, was exemplary. One of her most recent achievements, something she was very proud of, was persuading the government to take on board an additional 60 police officers—a recent and very timely achievement indeed.

I have many enduring memories of Audrey. One of the main ones is her lovely smile. I see that is a trait that her daughter, Clair, has inherited. When you met Audrey, she had that ability to make whomever she met feel special. It was always a joy for me to go and talk to her; her face would light up; she exuded warmth; and she exuded decency. She did that with everyone.

It is with much sadness that I remember some of our more recent conversations, one not very long before her death where she was telling me about her trip with the family to Vietnam. She stayed with a mutual friend, Darren Rath, our AFP man in Saigon. They had a wonderful time there. That conversation was only a few weeks before her tragic death.

Many jobs in our society are difficult but none more so than being a police officer. It is difficult for the most junior constable, and it gets harder the further you go up the

ranks. The job of an ACT police officer is a particularly difficult one; you serve two masters.

Audrey handled all her jobs in exemplary fashion. She was a magnificent role model, a wonderful human being, a great mother, a great wife, a wonderful member of her family and a great role model to so many people in the AFP, both male and female. The outpourings of grief and the shock that went through our close-knit police community were quite palpable in those days immediately after her death.

Audrey Fagan was a person we will sorely miss not only in Canberra but through the wider Australian community. On behalf of the opposition, I thank her. It has been a privilege for those of us who have known Audrey to know her; it has been a privilege to work with her; and it has been a privilege for Canberra to have been served by such a fine person.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services): I join with the Chief Minister and Mr Stefaniak in expressing my sincere and heartfelt sympathy and condolences to the family of Audrey Fagan, on her tragic passing only a few short days ago. With the passing of Audrey Fagan, Canberra has lost one of its own, a woman who was committed to the city, who grew up and became the person we knew in Canberra and who was committed to the work that she did for our community as a police officer.

She was, as the Chief Minister has said, appointed to the role of Chief Police Officer only on 4 July 2005. That appointment was, at that point, the culmination of a career spanning 20 years at local, national and international levels in policing. She began her policing career, as we know, with the AFP in Canberra in 1981, working first in protective services and then in the community policing area where she worked in a range of areas, including fraud and general criminal investigation. She went on to take on significant appointments within the AFP at a national and international level, including a posting to Christmas Island, international liaison, internal investigations and police recruit training.

In the 1990s, she accepted an advisory position as a law enforcement liaison officer in the federal government and worked with three federal ministers, advising on issues of policing and law enforcement, including the development of the national illicit drug strategy. It is a testament to her commitment to this particular part of her career that a number of senior federal ministers were present at her funeral.

In December 1998, Ms Fagan returned to the AFP, took up the position of chief of staff to the commissioner and was later promoted to a range of senior executive positions, including Director, Commercial Support, and General Manager of Protective Security. In this role in particular, she had a significant impact. She was responsible for overseeing close and personal protection to high officeholders, the national witness security program, protective security intelligence services and special events planning.

Some of her key achievements included the preparation of the security planning for CHOGM and the AFP protective security responses following the terrorist attacks on September 11. She was then appointed to the position of Executive Director,

Protection, where she oversaw the activities of the Australian Protective Service. She was awarded, for all of these activities, the Australian Police Medal in 2004. She was also awarded the Australian Institute of Police Management scholarship award in 2001.

What was perhaps most striking about Audrey Fagan was the breadth and width of her achievements. She was qualified, not only in terms of her experience but also in terms of her formal learnings. She was conferred with a Bachelor of Science from the Australian National University; she held a Graduate Certificate in Applied Management from the Australian Institute of Police Management; she held a Graduate Diploma in Executive Leadership from the Australian Institute of Police Management; and she was a graduate of the Australian Institute of Company Directors. She was also a Fellow of the Australian Institute of Company Directors, a Fellow of the Australian Institute of Management, the former chair of the commonwealth women in law enforcement strategy and a member of the Australian Human Resource Institute, as well as of the National Community Crime Prevention Advisory Board. She was indeed a high achiever in all regards.

In my time as minister, working with her, I always found her to be calm and measured in her approach, genuine and sincere in her commitment to the work that she had to do, staunchly loyal to her staff and her officers and focused entirely on the importance of improving and maintaining a strong community policing presence in the ACT. It is difficult to comprehend her not being with us any further. It is difficult to have a meeting now with the AFP and not see her amongst the cohort of officers walking down the hallway.

She was very much a leader in every respect. She did not often need to present herself in the tough, macho way that we would expect from police officers. Instead, her calm and measured attitude and her gentleness were hallmarks of a strong personality who was committed to and principled in the work that she did.

It is difficult to comprehend her passing and the nature of her death. We can only speculate on what she was thinking and the issues she was confronting in the days leading to her death. Her passing is a moment to reflect not only on her achievements and her commitment and contribution to our community but also on the pressures, often unseen, that those who hold significant office face.

We in politics perhaps appreciate that more than most, but we also know what we sign up for. Often though, those who hold other high offices but who are not elected to such positions face a level of scrutiny which sometimes brings a toll which we do not always appreciate or comprehend. It is important that we reflect on that as we go about our business day to day and as we go about our discussions with others about the pressures and the challenges that those in those positions face.

I pay a particular tribute to the officers of the AFP who have so gently and with such warmth embraced Audrey's family and her friends following her death. Their support to them has been outstanding. They are a family who look after one of their own. For that, they are to be applauded and commended. Without that support, it is difficult to know how Audrey's family and her friends could have sustained themselves through this very difficult period. I extend my most sincere and deep sympathy to Audrey's

husband, Chris; her daughter, Clair; Clair's father, Andrew; and all of her extended family.

DR FOSKEY (Molonglo): It is with great sadness that I rise today to add my words to the tidal wave of grief experienced by the family, friends and colleagues of Audrey Fagan in response to her death just over a week ago. I extend my and the Greens' deepest sympathy for the difficult time that everyone who knew Audrey must be having. While I am just a distant colleague of Audrey, her death has profoundly affected me, as it has so many in this community.

Let me say first that I was probably one of the last people to take on the notion that Audrey could have died by her own hand. I advised everyone who talked of it as suicide to desist from hasty judgment. This was because suicide was not in character with the person that I saw out and about and the person that I had sat down with earlier this year for a full and frank briefing about some of the Greens' concerns about ACT Policing. "Wait for the autopsy," I said, certain that the cause of death must be a sudden health problem.

I did not allow myself to believe that it could be suicide until I read the obituary in last Friday's *Sydney Morning Herald*. I admit that this was wilful ignorance of a kind. That says something in itself about my attitude and, possibly, public attitudes to such deaths. It also speaks of the skill with which Audrey Fagan wore her public persona.

This death affected the community on a number of levels. While her death may have been an answer of some kind to Audrey's concerns, for the rest of us it raised more questions than answers. I hope that this is an appropriate place and time to consider some of these.

First, there is the individual in the context of her friends and family. At the funeral on Friday I learned much about Audrey as a person. Friends and colleagues spoke freely about her competence, her fun-loving nature and her desire to make a positive contribution through her roles as assistant commissioner in the AFP and Chief Police Officer of the ACT. The photographs in the booklet detailing order of service show a mischievous and highly attractive person, most especially when her daughter shares the photo. Few of us knew this Audrey, whose face was always carefully in role, with that wonderful smile lighting it up. Now we have to ask: was that smile always deeply felt?

Secondly, there is the person who operated in the day-to-day hierarchies of the AFP and ACT Policing. I can picture the myriad of people with whom Audrey must deal with in her jobs. Then there was the ACT government, through both the Attorney-General and the minister for policing, only recently embodied in the same person. By all accounts, we are talking about an exemplary police officer. One colleague described Audrey as her own hardest taskmaster and a woman of the utmost personal integrity.

Thirdly, there is the person in politics, for the roles of assistant commissioner and Chief Police Officer in the ACT are inherently political as they involve dealing with people at all levels, making decisions which will satisfy some and disappoint others. At times the responsibility would be awesome, perhaps frightening. People feel free to

judge people in the public eye, and such people need to travel far for privacy. All of us in this place know what that is like. Public focus is not so bad when we are in favour but it is hard to deal with public and media disapproval.

When we allow ourselves a strong life outside our political lives, we can better maintain resilience, even if we can only intermittently and briefly visit our personal lives. I wonder whether Audrey's job allowed her to enjoy as often as she would have liked those playful moments with her daughter where she could drop the police officer's mask.

Fourthly, there was Audrey as a woman in a man's world where we all want to see more women. The increasing number of police officers must be presenting challenges, if not yet new ways of organising the workplace to support officers in their absorbing and important work while helping them to keep their personal lives in balance. At St Christophers, I learned from Audrey's colleague in WILE, which stands for Women in Law Enforcement, a mentoring program, that Audrey was active in her support of women in the AFP and that she was approachable and open about superwoman being a fictional character.

It is important that women in large, vertically organised organisations, particularly the police forces, are not deterred in their aims to work to their capacity, even if that does mean rising to the top. Many women are afraid of the challenges of power in a world where they have grown up seeing men hold those roles exclusively. We must not be deterred by Audrey's apparent choice of the most drastic means of escape from that world. We do not know—we may never know—what caused Audrey to leave us. In her conscious mind, it may have had little to do with her gender. But if it did, we need to do our utmost to ensure that it does not happen to anyone else and that when we recognise the signs we act to assist, even if it seems intrusive and even if that person is our superior in the ranks.

We women are often trained, through our roles in life as daughter, sister, wife, mother and friend, to recognise these signs. Studies continue to show that women are more inclined to talk about our feelings and to ask others about theirs—not all of us and not always, of course. I am sorry that Audrey's mentoring group was not invited to provide the support that she, we now know, so badly needed in those last weeks and days. Because women will continue to take up their rightful roles in positions of power, we need to reawaken and create circles of support as we campaign to make our workplaces more family friendly and to eradicate the idea that it is a weakness to have feelings and to not always feel confident in our jobs.

Fifthly, the most difficult issue opened up for me by Audrey's suicide was her daughter's loss of her mother. I cannot imagine the feelings that this wonderful woman, the coolest mother, must have had to take her to this separation. The loss of our closest flesh—our mother, our father, our child—is tearing; it is like a wound. That is why we all cried so much with Clair, who generously allowed us into her grief. In those moments we grew to love her and, as a community, we will nurture her.

Sue Salthouse wrote this message, on behalf of Women with Disabilities ACT, to Clair, and it sums up my lasting opinion of Audrey Fagan:

Your mother was a great role model for women in Australia. The integrity she showed in her work, and her sincerity in dealing with the public, give us examples of a democratic culture of leadership for society to adopt.

We mourn her loss.

MR PRATT (Brindabella): It is clear from all the tributes we have seen in recent days that Audrey Fagan made an astounding impact on anyone who came in contact with her over her 44 years of life. Chief Police Officer Fagan was a much respected and highly competent police officer who was held in high esteem by colleagues and the public alike. It seems obvious to all that she was a fantastic mother to her daughter, Clair, and a much-loved and loving wife, daughter, sister, relative, friend and colleague.

With all due respect to male coppers, the police profession has traditionally been a male bastion, only changing over the last couple of decades. That is a fact of life and is not a criticism. Policing is tough work, and that is the way things have been. Audrey Fagan seemed to have fitted quite well within that culture and did so with charm and intelligent leadership.

During lengthy discussions with the AFPA, the association, middle-ranking commanders and rank-and-file police, I rarely detected a bad word about Audrey—rumblings about bureaucracy but never a bad word about her. It was clear to me there existed, among police of all ages and all experience levels, a respect for and a quiet admiration of Audrey Fagan.

From time to time I enjoyed robust discussions with Chief Police Officer Fagan. She was always cooperative, always warm and always willing to stick around the extra few minutes for that discussion. I can recall one day last year, while discussing local crime issues with some shopkeepers at a local shopping centre on the north side, Audrey, rushing around the corner, bumped into us after leaving the gym. I know that for most of us—certainly me, most senior officials, when we finally get that precious few minutes off away from work to go and get some real time—the last thing we want to do is engage with our job. But not Audrey! She was quite willing to stop with us and quite willing to chat cheerfully with us about the local issues.

We know that she was a champion of women policing nationally. She was quite a role model. She was a tireless campaigner on women's protection issues, the only female detective in the local criminal investigations section for some time, focusing on those areas. I understand it has brought a new focus on how to combat those issues.

Audrey Fagan's funeral was an incredibly impressive, but nevertheless harrowing, event for many of us who were there on Friday. Her family, particularly her daughter, Clair, got through that funeral with great dignity to send off Audrey in the fashion that Audrey deserved. Her husband, Chris Rowell, and her ex-husband, Clair's father, Andrew Phillips, were remarkable on that day. Clair's role particularly was an extremely brave one and demonstrated to us the closeness of that family.

I also commend Mick Keelty and the AFP for their organisation of such a fitting tribute. I must say this too: Mick Keelty clearly had held Audrey in very high regard

and must have been an enthusiastic mentor to somebody he clearly had confidence in, potentially to go through to even higher office.

The ACT community has lost an intelligent, enthusiastic and caring Chief Police Officer who impressed many and achieved much in her all-too-short time in office. The AFP and the ACT government have lost a professional and creative Chief Police Officer. Audrey was broadly qualified, with a range of professional and personal skills. How she fitted into her short life a full range of family, personal and professional activities is beyond most people's comprehension. In her time as Chief Police Officer, Audrey made a wonderful contribution to our community. Her quiet, careful approach promised much into the future.

I have to finish by saying this: the big sleeper, underestimated by all of us, politicians, leaders, technocrats and the media—our police service in some respects is similar to aspects of the defence force service overseas but is distinctly different, given the perennial nature of the confrontational aspects of policing—is that personal stress accumulates over the years, mainly unseen by mates, family, leaders and even by the individuals themselves.

Her death was a great shock and a great loss for all of us. Most could not have anticipated that happening. I echo the words of the minister with respect to the scrutiny of senior, unelected officials. That is a very, very good point made.

I pay tribute to the gracious way in which Audrey Fagan handled a very difficult job and honour her enormous contribution to the ACT community. I pass on my sincerest sympathies to her family, friends and colleagues. May she rest in peace.

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs): It is indeed with sadness that I rise on this condolence motion to speak of my association with former Chief Police Officer Audrey Fagan. Members have gone before me and have indicated the extensive nature of Audrey Fagan's CV. I will not go down that track.

I would like to speak a little about the Audrey Fagan that I knew. I was the Minister for Police and Emergency Services when Commissioner Keelty suggested Ms Fagan for the appointment, following the retirement of Chief Police Officer John Davies. I met Ms Fagan and was immediately taken by her obvious compassion, dedication to her community and her professionalism. She had a unique blend of humanity and the desire to lead a professional bunch of police officers who walked with their community.

Audrey Fagan was not just another police officer who had risen to the top. She was one of us. Audrey Fagan was a role model for all the police officers under her command. I know, from the many personal contacts I have had with junior and senior officers, that she was deeply loved and respected. Audrey Fagan was a consummate executive, a dedicated street-based police officer, a leader in the area of mentoring women of all ages and was personally responsible in so many ways for putting high-quality women leaders into the decision-making process.

There have been many well-deserved accolades to Audrey Fagan. I join with all of those who have and who will continue to sing her praises. However, I was fortunate enough to see the human side, the gentle side, the motherly side, the genuine inner person who was Audrey Fagan. She was sincerely concerned for the welfare of her officers, often going to extraordinary lengths to make sure that the trauma of police work did not impinge too heavily on the personal and family lives of her officers. She talked to her officers as a leader and a friend. She achieved high rank but never flaunted it.

The affection in the eyes of her officers when they spoke to her or of her was a joy to behold. She would come to the office to give her briefings and talk of her weekends with Chris and talk of silly motherly things with Clair. This struck a chord with me. All too often, we become immersed in our work and forget our families and the toll our work takes on them. Audrey taught me to take care of the impact of my job on my family.

I will miss Audrey Fagan. She was a superb police officer, a leader among women and a gentle soul whose affection for her family was so very evident. I, too, observe the dignity that that family conducted themselves with in a particularly trying time at St Christophers Cathedral. The full police funeral was a pretty imposing event to go to. I know that all members who were there were taken by the occasion.

Imagine, if you will, the weight that Clair Phillips took on that day. With the support of Andrew and Chris, she bore the full brunt of the outpouring of grief by the community at the loss of her mother. I do not think I would have had the strength that young Clair had on that day. It is always painful for those that are left behind. I wish there were some wise words that I could offer Audrey's family. Unfortunately, there are not, and I simply say that we will all miss her.

MRS BURKE (Molonglo): Mr Speaker, I rise today in honour of Audrey Fagan. At the time of Audrey's death, I was on leave. I went out to the driveway and picked up the morning paper and was staggered. I just stood in the road for a few minutes in disbelief.

I had known Audrey for only a very short time—a very short time indeed. But that woman had the capacity to touch people's lives in a way that was unique. I was staggered to think that someone so vivacious, who seemed to have it all together and who was so competent, so young and so talented, could have passed away. I truly thought, "Natural causes." I thought of all these things medically. Gosh. But of course, as time went on, we realised what had actually happened. It was something far worse than natural causes. It was something far deeper.

As the days unfolded, we learned of the stress that Audrey was under. As the Chief Minister has said, it is sobering to all of us in this place. As the minister for police has said, it is something that we as politicians take on as a package—part of the deal. But those people who work for us do not. Often it is bestowed upon them in a way that they are not able to comprehend.

On coming back to work, I was looking through my mail and was staggered to receive a letter signed by Audrey Fagan. This really goes to the heart of Audrey. I will not tell you the detail; it does not matter. She said, regarding the efforts of so-and-so in the management of an incident:

Thank you for your letter ...

It is always pleasing to receive letters such as yours in relation to the assistance given by AFP officers when assisting members of our community through the course of their duties.

I will ensure a copy of your letter, together with my personal thanks is passed on to ...

There she named the AFP officer concerned. All I could see was Audrey's smile. All I can see, as many have said, is the smile that came from a woman who was clearly doing it tough.

Audrey would not have wanted to play the male-female card. Like some other female members, and maybe male members, I sat here on 8 March 2007, on International Women's Day. Audrey Fagan addressed that breakfast. With secure confidence she had it all together. She had everything to give—nothing to lose, it would seem. How many of us sitting in this place hold a dark, deep whatever? We need to investigate that further. Dr Foskey put it admirably and astutely. It is marvellous that we have this opportunity to speak publicly about what is so often hidden.

Let us be honest. Let us hope that, as the Chief Minister said, in the fullness of time Audrey Fagan's death will not be in vain. It is always difficult to remember those who have died without experiencing a vacuum, a deep sense of remorse and loss concerning a loved one or somebody you worked closely with. They are there one minute; they are gone the next. I believe, however, if I may be so bold as to say this, that we should talk about the joy that Audrey brought to all those who came into contact with her and who she came into contact with. I am sure she would not have wanted us to do anything else.

Much has been said about Audrey's outstanding achievements. Her life was snatched away from us prematurely. Like many of the people here today, I remember the first conversation I ever had with her. She captivated you. She took you into her arms, into her world—not the other way around. It was you, and only you. You were the only person there in the room at that time, or there in that meeting room. You were the one she was focused on. She made you feel special.

People have talked about the courage of Audrey's daughter, Clair, and I was very sorry not to have been at the funeral. I was unable to be there. But I will tell you something: the legacy of Audrey Fagan lives on. Why? Because Clair was able to stand up there with the courage that her mother had—to do the job that she was called to do. Audrey left a legacy of caring and compassion, within her family and within her colleagues at the AFP. Audrey, you will not be easily forgotten.

We cannot ignore the stress of the job. I have touched on that before. Facing public scrutiny is tough. We are perhaps trained to do it. Maybe there are things to be learnt from this—for us, for people within the AFP and for other people working closely and trying to serve two or more masters. People do not always reach out for help. In like manner, you can lead a horse to water but you cannot make them drink. We must be diligent, vigilant.

I will leave it there, Mr Speaker. I did not quite catch your words, Chief Minister, but I understand that there will be a legacy left in some official way. I absolutely applaud you for that. I think that is marvellous. I think the family can be encouraged by that.

Today, I stand here to offer my deepest condolences to Audrey's family at this difficult time, and to say, "Audrey, do rest in peace. Audrey, we will not forget you."

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women): We have all been deeply saddened by the passing of Audrey Fagan, the first female chief police officer in the ACT. Our thoughts are with her family; her partner, Chris; her daughter Clair; her stepchildren; her friends; and her colleagues, particularly in ACT Policing. The ACT community is mourning the loss of a great woman and a great leader, a person of talent and integrity, a person highly respected amongst her colleagues and peers.

I would like to particularly pay tribute to Audrey's achievement in being a prominent and inspiring female leader. Audrey was a woman who showed dedication, passion, perseverance and commitment in both her personal and professional lives. Her perseverance is apparent in the fact that Audrey served her community as a police officer for 24 years, climbing from the ranks of walking the beat in her early days to serving as chief of staff for Commissioner Keelty and ultimately becoming Chief Police Officer of the ACT.

Audrey achieved great success in a profession traditionally dominated by men. Today the ACT public service is around 67 per cent female. In comparison, currently about 30 per cent of ACT Policing personnel are women, with the proportion dropping significantly for sworn officers on active duty. Audrey's achievements are even more remarkable when viewed against this background.

We should also celebrate Audrey's balanced approach to her professional and personal lives. She was a keen advocate of work-life balance, even for those in high ranking positions. She valued quality time with her family and time out generally from the ongoing commitments and pressures of her demanding job. She left an indelible mark by inspiring women to aspire to the highest ranks and believe in their ability to lead, and she inspired all members of the community, no matter what their gender, to reach their potential irrespective of any barrier in their way.

Audrey was very involved in reducing barriers for the next generation of female leaders. She was committed to increasing the presence of police in the ACT and encouraging young women to join a traditional, male-dominated profession. Others have spoken of her career pathway through the Australian Federal Police, but Audrey

was very involved here in the ACT public service as well. Many ACT public servants, along with all of us here in the Assembly, are mourning the loss of a woman they worked very closely with.

Audrey was one of those women whom you see everywhere on the women's circuit. She was at the International Women's Day lunches and breakfasts; she was at awards. This morning I spoke at a symposium on women in leadership. Audrey is a person you would always see sitting at a table. I noticed it this morning when I looked around and did not see anyone in uniform. Audrey was always the one that you could pick out of a crowd.

The loss of Audrey was felt immediately, like a shock wave rolling through the community, but it will continue to be felt again and again as something comes up that normally we would have spoken to Audrey about or seen Audrey participating in—seen Audrey speaking and listened to her inspiring words such as the ones she used on International Women's Day. We will feel it again and again.

Audrey worked closely with the Ministerial Advisory Council on Women. That is another example of a lot of work that she did at grassroots level in addition to meeting the demands of a highly stressful job. Audrey always attended meetings. She never sent a replacement; she always felt that leadership needed to come right from the top. When the Ministerial Council on Women held a roundtable on the prevention of violence against women, there she was leading the way and showing a huge understanding of women's experience in pursuing their legal rights, whether because they had been victims of violence or for some other reason. Certainly she gave council members the feeling that this was something that ACT Policing was very much on top of and something that she was going to push further. I hope that, despite the fact that Audrey will no longer be able to participate, this initiative will continue—as a testament to the work that Audrey had already begun.

Others have spoken of our awe at how young Clair Phillips participated in the service on Friday. As Audrey's daughter, Clair, so aptly put it then, her mum was "cool". Indeed, she was. Her wisdom and dedication will be sorely missed. She inspired women, young and old, to persevere, to work hard, to be committed and to make their mark on the world in their chosen field. This is one of her greatest legacies to this community—a legacy that all members of our community will benefit from, a legacy that we as a community should treasure and one which we will always remember.

MR SMYTH (Brindabella): Mr Speaker, I offer my condolences to the family and friends of Audrey Ann Fagan and to all her AFP colleagues. On Friday last the AFP Commissioner, Mick Keelty, read the valedictory at Audrey's funeral. It detailed Audrey's career so well that I thought it appropriate to put it on the record in the *Hansard* record of proceedings in her parliament so that it will always be available to anyone who cares to read it. With the permission of Commissioner Mick Keelty, I read his valedictory:

During her 26 year career with the AFP Audrey made an indelible mark on our organisation, not only in an operational sense but as a leader and a fine role model to women, not just within the AFP but the broader community.

She was a dedicated mother and wife who will be fondly remembered for her compassion and strong commitment to all elements of her life.

Audrey first joined the Australian Federal Police Protective Service Branch when she was just 19, on 23 February 1981. At the time Audrey had lived in Australia for about eleven years following her arrival from her native Ireland.

Prior to commencing with the AFP, Audrey was already an accomplished swimmer and had a keen interest in sports.

Audrey transferred to the General Policing area of the AFP soon after joining and in the following year was appointed to the Juvenile Aid Bureau—a specialist section of ACT Community Policing dealing with juveniles. During this early phase of Audrey’s career she attracted many positive comments from parents of juveniles about her caring and professional approach to her duties. During 1982 Audrey was also sworn in as a Special Constable of the NSW Police.

Audrey soon displayed her capability as an investigator and the following year was temporarily moved to the National Criminal Investigation Branch where she investigated specialist fraud offences as part of the Medifraud Squad in the AFP’s Central Region of South Australia.

In September 1985, Audrey commenced duties as a Detective at the Woden CIB and in August 1986 Audrey transferred to Christmas Island where she undertook specialist community policing and national policing duties for the AFP. Audrey’s role in the investigation of a murder on the island attracted praise from her fellow officers and members of the community.

In 1987, Audrey returned to criminal investigation duties in ACT Policing and the following year was transferred to the Internal Division Investigations Section. At that time, Audrey was already undertaking a Bachelor of Science degree at the Australian National University demonstrating a commitment not only to her work but also to improving her qualifications and experience at a professional level.

Audrey had also completed tertiary studies in computer sciences and in 1989 began working with the Computer Training Section of the AFP College.

In 1990 Audrey was promoted to Sergeant in the Personnel and Training Department and in the same year completed her training to be designated as a Detective. In 1992, Audrey took up duties in the Internal Investigation Branch.

The 1990s saw Audrey undertake more challenging roles in management in the AFP. In September 1995 she was appointed as a Commissioned Officer, becoming a Superintendent in the Personnel & Industrial Relations Division.

It was about the same time that Audrey was selected by the then Commissioner to undertake a special investigation at the direction of the Commonwealth Attorney-General and the Commonwealth Ombudsman.

Following that investigation Audrey was permanently transferred to the Commissioner’s Office where she was soon appointed as the AFP’s Law Enforcement Liaison Officer to the office of the Federal Attorney-General and Minister for Justice. It was at the time of the 1996 Federal Election and Audrey

in typical apolitical fashion worked briefly for the Labor Government in the offices of Michael Lavarch and Duncan Kerr and soon after for the new Liberal Attorney General, Daryl Williams. As portfolio changes were made, Audrey then worked for the Minister for Justice and Customs at the time, Senator Amanda Vanstone.

On the 22 of January 1999, Audrey received the National Medal for her service and on 5 October the same year Audrey entered the Senior Executive Service of the AFP after being promoted to the rank of Commander and Director of Commercial Support.

During this time Audrey also held a position on the ACT Parole Board and in February 2001 Audrey was appointed as the head of the AFP Protective Security command.

During the course of the next two years Audrey acted for brief periods as both a Deputy Commissioner and Commissioner of the AFP. After the September 11 attacks of 2001, the Federal Government announced changes to its Counter Terrorism and Protection policies including the move of the Australian Protective Service to become an operating division of the AFP. Audrey was placed in charge of the integration project and in 2002 Audrey was again given the role of commanding the AFP's Protection Division.

In January 2004, Audrey was promoted to Assistant Commissioner and appointed Chief of Staff to the Commissioner's Office.

Audrey received the Australian Police Medal in the Australia Day's Honours in 2004 for her work in Protection, Counter Terrorism and for the successful integration of the Australian Protective Service into the AFP.

In June 2005, Audrey took up her role as the Chief Police Officer of the ACT. As Chief Police Officer Audrey was responsible to the ACT Minister for Police and Emergency Services. As the first woman to hold this position Audrey brought to the role her contemporary approach to community policing and worked tirelessly with the Department of Justice and Community Safety to provide an effective policing service to the people of the ACT. Tributes have flowed to the AFP from many community service groups and members of the Canberra community acknowledging Audrey's personal contributions.

In every sense of the word, Audrey was a high achiever and an accomplished police officer, with her academic achievements and additional roles enhancing her impressive career. Audrey held a Bachelor of Science, a Graduate Certificate in Applied Management, a Graduate Diploma in Executive Leadership and had completed the Australian Institute of Company Directors' Course and was a Fellow of that institution.

Audrey was a member of the National Community Crime Prevention Advisory Group, a Member of the Australian Human Resource Institute, a Board member and member of the Strategic Directions Committee of the Australian Crime Commission as well as being a member of the Crimtrac Board.

Audrey was a former Chair of the Commonwealth Women in Law Enforcement Strategy. She became a role model and mentor to women in law enforcement both in Australia and more widely in our region.

As a member of the AFP's Senior Executive, Audrey was a full time member of the AFP's Executive Management Board. It is here that Audrey was making her most meaningful contributions to the AFP.

Audrey could deal with both the substance and the vision of the strategic thinking of the AFP's Executive Management Board. Her ability to provide timely and meaningful input into setting the direction of the AFP impressed us all.

In addition to the formal roles, Audrey would often take the time to involve herself in other activities in support of the organisation and the senior management team. Her role as the 'Bow' in the executive's first attempt at a corporate rowing regatta was typical of her commitment to the executive team when balancing her role as mother and Chief Police Officer. Without saying a word Audrey demonstrated to the rest of us that style and timing will win over brute strength every time.

Audrey never let an opportunity to participate in executive activities pass her by, which is why her popularity remained until her untimely passing on Friday 20 April, 2007.

Audrey quietly, but effectively, engaged all kinds of people, whether in the AFP or outside, and never forgot those who were facing their own personal challenges. Gwen Winchester, the wife of former Assistant Commissioner Colin Winchester, writes that 'Audrey made a point of keeping in touch with my family on a regular basis with afternoon teas in her office and Peter and I were invited recently to view a plaque in the foyer of the Winchester Centre.'

Assistant Commissioner Audrey Fagan leaves a legacy as an outstanding senior executive of the AFP who was also a mentor and caring leader and a role model for both women and men in the Australian Federal Police as well as the wider law enforcement community.

MS MacDONALD (Brindabella): Mr Speaker, in the last week and a half we have all been shocked by the death of Audrey Fagan, and I think that at some point all of us have had one question run through our head: why?

I want to say a few words that are specifically for Audrey's daughter, Clair Phillips. As I said, we have all been struggling to understand this loss. As the days pass, our thoughts of Audrey will be fewer; we will move on with our lives. But you, Clair, are soon to embark on your adult life and you will take your mother with you in your heart for the rest of your life. For a long time, that love in your heart will hurt beyond belief, and at times you may think that it is too much to bear.

Clair, when I was 16 my father died. I never had to share my grief at his sudden death in such a public way. I think that you are the bravest girl in the whole world for sharing your thoughts last Friday. I can tell you one thing, though, Clair: some 21 years and seven months after my dad's death, I still miss him and I think of him every day.

My reason for telling you this is to let you know that, while you will miss your mum, you will be able to live the life of happiness that she wants for you. There will always

be the downs as well as the ups in life but, because of your mum, life for many women has been made easier. Audrey forged her way in a world that is not easy for women. She did it with grace and her beautiful smile. Clair, I sat with six senior female public servants last Friday after your mum's funeral; every one of them spoke of your mum's grace and how they would miss her and her smile.

Clair, together with the love and support of your family and friends, I know that you will be able to continue on and that the memory of your mother's positive force will help you. Clair, I wish you a long and happy life.

MR MULCAHY (Molonglo): Mr Speaker, I am pleased to be able to say a few words in support of this motion of condolence. I have a vivid recollection of the last occasion when I met Audrey Fagan. It was on 4 April in Civic, at an event that the government held for the launch of the human rights division. The Attorney-General was present, as was the Deputy Chief Minister.

I was away from Canberra when the news reached me that Audrey's life had come to an end. I was very deeply shocked. Unlike a number of people here in the Assembly, I did not have a long knowledge of Audrey's career or many occasions on which I dealt with her; I became acquainted with Audrey Fagan only after she became Chief Police Officer. My dealings have been on social occasions or at formal events, because my shadow portfolio responsibilities did not really give me a need for formal contact.

But certainly I was left with a very strong impression. I have met a number of Audrey's predecessors, and she stood out as exceptionally professional as an individual. She was very courteous at all times. As everyone who has spoken has identified, she was an extraordinarily pleasant individual. That was the abiding impression that I had in the relatively short time in which I have known her.

The premature loss of life is always a terribly tragic thing to witness in our society, especially amongst those with whom we have had dealings, whether they are personal friends or professional colleagues.

Several members have mentioned today that Audrey achieved great office as a woman in what has been, and still is largely, a male dominated domain which operates in some fairly traditional ways. I have never underestimated the difficulties that face one going into the police force, even at a lower level. I do not envy the people who take that up as a career. I do not see it as particularly glamorous. I know enough about the life of police officers to know that they deal with all of the most difficult and often tragic aspects of our society. I cannot contemplate what one must have to deal with on a day-to-day basis when one reaches the upper echelons and holds an office such as that of chief police officer. Nevertheless, I found Audrey a wonderfully pleasant person with whom to deal.

Others here have detailed Audrey's outstanding career and contribution. This occasion serves as a sobering reminder to us all of the frailty of the human individual and how different people in different roles handle the stresses of life that are so evident now in many aspects of the work of people who hold high office. This applies especially to people who are not elected, as I think somebody said, but I do not think it discriminates.

My deepest sympathies go to Audrey's family and her colleagues in the Australian Federal Police, many of whom, I understand, are very deeply upset by this. May she rest in peace.

MS PORTER (Ginninderra): Mr Speaker, I too have known the late Audrey Fagan—clearly a fine woman—only since her appointment as Chief Police Officer in the ACT. However, Mr Hargreaves talked about the way she regarded family, and others have done so here too. Unfortunately I was unable to attend the funeral because I was interstate; I was also away when I heard the news of her death.

One of my family members rang me on the Friday of her funeral: On the day of her funeral, I was contacted by my eldest son, Geoffrey, by phone from Nauru, where he is currently serving. He reminded me that Audrey had presented him with his long service medal quite some time ago in Alice Springs. He talked about the way she dealt with him and the other recipients on that day in Alice Springs. He said that she made it a very meaningful ceremony through the way in which she reached out to people as individuals, making each of them feel special and in some way letting them know that she knew that they had experienced some of what she had experienced. That was the humanness of this person. Mrs Burke and others have said that she made people feel very special. Geoffrey talked about how sad he was to learn of her death.

When my grandson, Craig, came to Canberra last year to undertake his training, to follow in his father's footsteps, Audrey talked to me about how proud she knew I was going to be on the day of his graduation and how I and his father must be looking to his future in the protective services arm of the AFP. When my grandson was badly injured in training—he had to be sent home, and has still not recovered—Audrey expressed her concern. In one of my last conversations with this warm human being, she asked me how my grandson was now and whether he had recovered. At one of the events that I attended, she specifically came up and asked me that question. For her to remember that was just another small indication of the measure of this particular woman who was such a caring person. She made contact with us all at an individual and personal level.

I can only express my deep sympathy to all Audrey's family, her friends and her colleagues.

Question resolved in the affirmative, members standing in their places.

Legal Affairs—Standing Committee Scrutiny report 40

MR SESELJA (Molonglo) (11.41): I present the following report:

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—scrutiny report 40, dated 30 April 2007, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR SESELJA: Scrutiny report 40 contains the committee's comments on five bills, 13 pieces of subordinate legislation and nine government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

MR SPEAKER: Thank you. Members, I have to advise that the speech clocks are not functioning. Whilst they are being repaired, the sandglass which you can see at the Clerk's table will be turned at the four-minute mark to indicate a member's remaining speech time so that you have a visual idea of what stage you are at.

Planning and Environment—Standing Committee Report 24

MR GENTLEMAN (Brindabella) (11.42): I present the following report:

Planning and Environment—Standing Committee—Report 24—Review of draft management plan for urban open space and public access sportsgrounds in the Gungahlin region, dated 27 March 2007, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This report is the result of a short inquiry which began in December last year. In addition to relevant ministers, the committee would like to thank, in particular, Mr Hamish McNulty, Executive Director, Environment and Recreation Network, Department of Territory and Municipal Services, TAMS; and Ms Sue Marriage, Director, Sport and Recreation Services, TAMS. Both of these officials gave valuable time to ensure that the committee understood the issues raised in relation to irrigation systems, the availability of sportsgrounds and water-sensitive design.

On 20 March 2007 the committee held a public hearing with officials from TAMS where key issues were discussed. Mr McNulty advised the committee that TAMS is now responsible for all the maintenance of and booking for the use of all public sports fields which are not part of a school precinct or campus—that is, most of the sportsgrounds here in Canberra. The department of education is responsible for playing fields that are part of school campuses and are used as school playgrounds. These tend not to be irrigated for use as sports ovals except with manual watering systems. They are also not normally available for weekend and after-school use by sports clubs and other organisations unless there is a management agreement in place with the school which enables TAMS to use the ground as a community facility.

Mr McNulty noted that the irrigation system that TAMS currently uses is one of the most efficient watering systems available. At least two non-government schools and TAMS are investigating the suitability of a capillary irrigation sub-surface system, known as KISSS, for ovals. The committee was advised that KISSS has been

developed over a 10-year period of research involving CSIRO, Charles Sturt University and the University of Queensland. The committee notes that KISSS appears to have many benefits; however, there may be considerable costs to implement such a system if it cannot readily be integrated with the irrigation system already in place. In late 2006 and early 2007 the committee visited Canberra Boys Grammar School and Rosary primary school in Watson to inspect the trialled installation of KISSS. Ms Marriage, Director of Sport and Recreation Services, TAMS, advised the committee that TAMS officials would be visiting some of the facilities that have installed KISSS.

TAMS has also finalised its service charter for ACT sportsgrounds. Amongst other things, this specifies the servicing arrangement that TAMS has with sports clubs in the ACT. The committee was impressed with the serious consideration that TAMS is giving to improving sportsground irrigation in the ACT and appreciates the effort that was made to ensure that it understood the issues raised by potential new watering systems.

The committee regards TAMS as a responsive service provider. Ms Marriage acknowledged the “huge impact” that the drought was having on the management of sportsgrounds and that management would become more of a challenge if a higher level of water restrictions were imposed.

With that in mind, the committee has made several recommendations. The committee recognises the challenges created by drought in managing sportsgrounds and commends the ACT government for its responses to date. The committee recommends that the ACT government continue its efforts to diversify the water resources it relies on for irrigating sportsgrounds in the ACT. The committee appreciates that, when TAMS officials discussed the draft plan with the committee, cooperation with sports clubs was often referred to. The committee considers, therefore, that the draft plan should be amended to include points of contact for further information and for making complaints.

It could be beneficial to list the contact information for sports clubs, the Ginninderra Catchment Group, park care groups and other “friends of” groups to facilitate engagement and community building. The committee recommends that the 2006 draft plan of management for urban open space and public access sportsgrounds in the Gungahlin region be amended to better acknowledge the role of stakeholders in the management of sportsgrounds and urban open space in the ACT.

The committee also recommends that the minister request that the Department of Territory and Municipal Services amend the 2006 draft plan of management for urban open space and public access sportsgrounds in the Gungahlin region so that it refers to, and is consistent with, the service charter for ACT sportsgrounds. The committee recommends that the minister ensure that the 2006 draft plan of management for urban open space and public access sportsgrounds in the Gungahlin region is updated before he approves it.

The committee noted that some further minor updating of the draft plan is necessary. For example, map 29 on page 70 should include the urban open space in Crace. Similarly, references in the draft plan to the Land (Planning and Environment) Act

1991 could be helpfully annotated with a reference to the planning and development act of 2007, as the former act is expected to be replaced with the latter in 2007.

I commend the report to the Assembly.

Question resolved in the affirmative.

Planning and Environment—Standing Committee Report 25

MR GENTLEMAN (Brindabella) (11.48): I present the following report:

Planning and Environment—Standing Committee—Report 25—Draft Variation to the Territory Plan No. 260—Changes to A10 Residential Core Areas for Garran, Griffith, Hackett and Yarralumla, dated 10 April 2007, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Mr Speaker, this report takes into consideration several previous draft variations to the territory plan, including an earlier version of DV260, DV256, Kingston group centre park, section 22, and DV200, the garden city variation.

I will begin with a brief background to this inquiry. Territory plan variation No 200, or DV200, the garden city variation, introduced the A10 residential core area specific policy to the territory plan. This policy permits medium density housing near town, group and local centres and community amenities—usually within about 200 metres of local shopping centres and 300 metres of group or town centres. It imposes new statutory limitations on multi-unit redevelopment in established residential areas outside the designated core areas and restrictions on the extent and scale of dual occupancy developments. It also provides increased controls over what is permissible in A10 residential core areas, including height and building envelope controls. Before this variation was introduced, multi-unit development could occur almost anywhere in an ACT suburb.

There are several important features of this proposed territory plan variation. It reduces the extent of current A10 area-specific policy overlay in four suburbs but brings an additional section within it, in Garran. The committee notes that the variation will reduce the extent of the A10 area and confine it more closely around the Griffith local centre and Manuka group centre, which is consistent with the Griffith neighbourhood plan and stakeholder comment on DV260 in 2004. It will reduce the Yarralumla A10 core area to confine it more closely around the Yarralumla local centre, which is consistent with the Yarralumla neighbourhood plan 2004. It will reduce the Hackett A10 core area, which is consistent with the Hackett neighbourhood plan 2004, and adjust the A10 core area in Garran, again consistent with Garran neighbourhood plan 2004.

The committee compared the proposed changes to the territory plan with the neighbourhood plans for the relevant suburb and finds the changes to be broadly consistent with those plans. Some amendments to the proposed variation following

the public consultation stage also reflect more recent submissions from stakeholders to the Planning and Land Authority.

The committee notes that the Canberra spatial plan provides that residential intensification will occur within a 7.5 kilometre radius of the city centre over the next 15 years. It also says that areas within central Canberra, Civic, along Northbourne Avenue, Constitution Avenue, Barton and Kingston, will be targeted for residential intensification but that “policy boundaries are not to be regarded as precise and are intended to inform more detailed planning”.

The committee appreciates that readers of the Canberra spatial plan may be a little confused by the summary statements which suggest that residential intensification is more limited. The Canberra spatial plan does not in any sense displace the territory plan and stakeholders should consult the territory plan as the more authoritative statutory document. The territory plan includes a land use policy for medium and high rise residential development in specified areas, including Kingston, Griffith, Forrest, and the city along the Northbourne Avenue corridor, adjacent to the Belconnen town centre and also in Kaleen.

The urban residential area, B9, and urban housing land use policies, B11, permit a variety of medium and high density housing types of two to three stories close to commercial centres, transport corridors and employment centres. In addition, the territory plan says that A10 residential core land use areas “typically consist of those residential areas within approximately 300 metres of group of town centres or 200 metres from identified local centres”. The A10 residential core land use policy applies throughout Canberra. As noted above, before the A10 policy was introduced, multi-unit development could occur almost anywhere in Canberra. This policy actually reduces the potential for residential intensification to occur in Griffith, Garran, Hackett and Yarralumla. The HIA strongly opposes this policy, arguing that it is reducing the needs of the market to be met.

In March 2007 the ACT Planning and Land Authority released a discussion paper on the evaluation of the garden city provisions of the territory plan, and this can be downloaded from the authority’s website. There is also a broader review of the territory plan under way as part of the planning reform system project. This will not change the policy parameters which are embodied in the territory plan. The committee notes that the A10 residential core land use policy in the territory plan already protects streetscapes.

The objectives for the A10 areas are: to ensure that development respects existing streetscapes and adjoining development, or contributes to the desired future suburban character of the area as defined by an approved master plan; to retain a moderate level of flexibility to accommodate a wider variety of additional housing close to facilities and services to meet changing community needs and preferences; and to assist in creating a more sustainable pattern of urban settlement by providing more housing to be developed close to identified commercial centres. The A10 policy also includes development controls aimed at protecting streetscapes. For example, proposals involving subdivision or consolidation of standard blocks for multi-unit housing must be accompanied by information that demonstrates how the proposed development fits

in with the existing streetscape character, or statement of desired future suburban character as defined by an approved master plan.

Where streetscapes have not been adequately protected from authority-approved proposed developments, some residents have sought review by the Administrative Appeals Tribunal. The committee considers that the proposed retraction of some A10 residential core area specific policy areas is a reasonable compromise in the application of sustainability policies in urban Canberra. The committee recommends that this proposed variation for the territory plan proceed.

In closing, the committee would like to thank the previous Minister for Planning, Mr Corbell, and the stakeholders who assisted the committee during the course of this inquiry. As with the previous report, I would like to thank my fellow committee members, Ms Mary Porter and Mr Zed Seselja, and committee secretary, Hanna Jaireth. Mr Deputy Speaker, I commend the report to the Assembly.

Question resolved in the affirmative.

Public Accounts—Standing Committee Report 10

MR MULCAHY (Molonglo) (11.56): Mr Deputy Speaker, I present the following report:

Public Accounts—Standing Committee—Report 10—*Report on Annual and Financial Reports 2005-06*, dated 11 April 2007, 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.

MR MULCAHY: I move:

That the report be authorised for publication.

Question resolved in the affirmative.

MR MULCAHY: I move:

That the report be noted.

I am pleased to speak to report No 10 of the Standing Committee on Public Accounts—*Report on Annual and Financial Reports 2005-06*. The resolution of the Assembly of 17 October 2006 relating to the referral of annual and financial reports 2005-06 referred 22 annual and financial reports of government departments and agencies for the 2005-06 financial year to the committee for inquiry. Amongst the annual and financial reports referred to the committee were those from the ACTEW Corporation, Department of Treasury, Rhodium Asset Solutions, amongst others.

The provision of meaningful operational and financial information by government to parliament and the public is a fundamental component of the accountability process. Annual reports are the principal and most authoritative way in which chief executives and chairpersons account to the Legislative Assembly and other stakeholders, including the public, for the ways in which they have discharged their statutory and other responsibilities and utilised public funds over the preceding 12 months.

The committee held public hearings on 29 and 30 November and 6 and 7 December 2006 and heard from ministers and accompanying departmental and agency officers and members of the governing boards. The committee examined the annual reports in relation to their compliance, where applicable, with the Chief Minister's annual report directions, legislative and other requirements as raised in individual agency reports.

In reporting, the committee considered and assessed the issues raised in the annual reports within the context of accountability in governance and its subsequent effective reporting by public sector agencies. The committee's report focuses on significant issues of interest raised during the inquiry process. The committee's report makes 22 recommendations. Amongst these recommendations were the following: that the government ensure that appropriate governance arrangements are clearly established at the outset of the shared services centre, which provide a clear understanding and appreciation of the roles and responsibilities of the relevant participants in the government's framework, to safeguard the dual accountability of participants both for their individual organisations and for the shared arrangements; that the government ensure that the calculation errors affecting superannuation contributions are corrected as a matter of urgency; that the Department of Treasury include in future annual reports a discussion on levels and rates of charging and taxing within the territory, and that this should include a comparative analysis that recognises the different tiers of the territory and state governments and takes into account any economies of scale from the division of these functions.

A further recommendation is that the government ensure that audited financial statements of entities in which the territory has a controlling interest be tabled in the Legislative Assembly for the ACT. Finally, for the purpose of this presentation, the committee recommended that the government publish the audited financial report for TransACT Communications as soon as it becomes available and submit this report to the committee rather than waiting until the end of the year.

Mr Deputy Speaker, these recommendations are designed to address important issues in the accountability and management of the government. In particular, the committee makes several recommendations to the government to improve its reporting to the committee itself. Unfortunately, one of these recommendations arose from the failure of the government to have available for the committee all of the relevant audited financial reports.

The committee also felt it would benefit from additional information in future reviews, including the audited financial statements of entities in which the government has a controlling interest and also a comparative assessment of rates and charges in the ACT. This information is important in establishing the financial position of the

territory and the climate in which we are operating, and comparing it with other jurisdictions.

The public accounts committee serves a crucial role in holding the government to account to the Assembly and it is important that the committee is able to properly scrutinise the activities of the government by having available to it all the relevant financial information. It is hoped that if the government adopts these recommendations it will in future be able to make a more complete assessment of the territory's annual and financial reports.

Aside from issues concerning the material available to the committee, the committee was particularly concerned about the errors in superannuation contributions that have arisen from the CHRIS-21 leave recording system. These errors have increased the risk of over and underpayments to employees, with the attendant risk that agencies may not meet their statutory reporting obligations. This problem also has the potential to lead to difficulties in monitoring and managing superannuation liabilities and may also lead to an impost on taxpayers and former public servants. These are serious issues which the committee urges the government to address with urgency.

The committee was also concerned that the government ensure that its restructures do not detract from the accountability of government agencies. In particular, the committee was concerned about accountability problems which may arise from the establishment of the shared services centre. The committee echoed the Auditor-General's concerns that the implementation of the shared services arrangements have the potential to significantly affect the quality and timing of financial reporting in the territory. The committee makes a range of further recommendations designed to improve the accountability and management of the ACT government. These recommendations highlight deficiencies in some existing practices and make suggestions for improvement in others.

Finally, reports such as this do not come to fruition without the hard work, cooperation and professionalism of many. I would like to conclude by thanking my committee colleagues, Dr Deb Foskey, deputy chair, and Ms Karin MacDonald. I also thank the relevant ministers and accompanying departmental and agency staff, and members of governing boards, all of whom made available time and provided cooperation and expertise during the inquiry process. I would also like to acknowledge the work of the committee office and the committee secretary. I commend the report to the Assembly. I am not sure if my committee colleagues wish to make further comment but I will conclude at this point.

Question resolved in the affirmative.

Planning and Environment—Standing Committee Statement by chair

MR GENTLEMAN (Brindabella) (12.04): Mr Deputy Speaker, pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Environment. I deliver this statement in my capacity as chair of the Assembly's Standing Committee on Planning and Environment in relation to the committee's inquiry into the proposed nomination of the ACT as a UNESCO

biosphere reserve. By now I hope that members and many other Canberrans are aware that UNESCO designates biosphere reserves under its man and the biosphere program and promotes these as learning laboratories for ecologically sustainable development. Biosphere reserves aim to foster sustainable economic and human development, preserve landscapes, ecosystems, species and genetic resources, and support demonstration projects, environmental education and training, and research and monitoring for sustainable development.

The committee agreed on 10 April 2007 to advise the Assembly of important developments in its inquiry into the proposed ACT biosphere reserve nomination and to report on the committee's meeting from 27 to 29 March with various stakeholders in the Mornington Peninsula and Western Port biosphere reserve in Victoria. I also met with stakeholders in the Barkindji biosphere reserve in New South Wales on 29 March 2007. The committee wishes to place on the public record its appreciation for these meetings.

I would like to refer to important recent developments. The committee thanks the Australian government Minister for Local Government, Territories and Roads, the Hon. Jim Lloyd MP, for advising the committee in a letter dated 14 March 2007 that he supports in principle the proposed nomination of areas of the ACT as a biosphere reserve and for his offer of assistance from the National Capital Authority in developing the nomination. Whilst recognising that the details of the proposal need to be agreed between governments, Minister Lloyd described the proposed designation as "an aspirational statement about conservation and sustainability", while noting the need for expectations about governance of the reserve to be "realistic".

On 10 April 2007 the committee met with senior officials in the New South Wales Department of Environment and Conservation and a representative of the World Conservation Union's Commission on Protected Areas. The committee was advised that the proposed ACT biosphere could deliver local, regional, national and international conservation benefits, as well as intergenerational benefits, and was a tangible response to climate change. The potential contribution of the proposed ACT biosphere to the Atherton to Alps wildlife corridor was welcomed.

On 13 February 2007 the committee wrote to the Australian government Minister for the Environment and Water Resources, the Hon. Malcolm Turnbull, suggesting that it was time for a national review of biosphere reserves in Australia. The committee referred the minister to the pressing challenge for promoting sustainable development under climate change, and the opportunities that biosphere reserves can provide for reconciling conservation and sustainable development; the desirability of Australia developing a national view to convey to the third world conference on biosphere reserves in Spain from 3 to 8 February 2008; and UNESCO's recommendation in 2003 that a national review be conducted. The minister had not responded by 10 April 2007.

It is apparent from the aims of biosphere reserves that research and education are important components. Biosphere reserves present significant opportunities for tertiary education and research institutions, their staff and students, and for their counterparts overseas. Private sector research and development companies could also

benefit. Substantial investments may be needed before significant sustainability gains can be achieved in the territory's urban areas, and for these major research projects may be a necessary precursor.

Several stakeholders have advised the committee that strong research committees are crucial for biosphere reserves to be successful. The Canberra Business Council has referred to the growth potential of the ACT knowledge economy and smart business activities. The ACT division of the Environment Institute of Australia and New Zealand and the CSIRO recognise the contribution that sustainability researchers and other professionals can make to an ACT biosphere reserve. The Conservation Council and Professor Brian Roberts from the University of Canberra, amongst others, have expressed similar views.

In the Mornington Peninsula and Western Port biosphere reserve the research committee provided an important stimulus for and expert advice on project work in the reserve. The research committee also contributed to the credibility of biosphere reserve designation. In the Barkindji biosphere reserve, the support of La Trobe University has also been important and valued. As a result of this learning, the committee wishes to meet with the vice-chancellors of tertiary institutions in the ACT to discuss how universities and other research institutions might contribute to the proposed ACT UNESCO biosphere reserve.

The engagement of the research and education sector is just one of the challenges for an ACT biosphere reserve. Project funding will continue to be sought for community projects within the biosphere, and a current difficulty is that public environmental funding is supposed to be drawn from within the regional component of the national natural resource management framework, or the local envirofund. These programs may not prioritise urban sustainability projects. Regional bodies have long-term investment strategies which are agreed between governments, and there is little flexibility to reallocate these funds once the regional plans and investment strategies have been negotiated.

The staff of regional bodies may be fully committed to other projects and may be unable to provide facilitators to ensure that the momentum that stakeholders have generated for a biosphere reserve listing is not later lost when projects need to be implemented. This is an issue that needs to be addressed in the national review of biosphere reserves. The committee has heard evidence that some regional bodies in Victoria and New South Wales do not currently support their local biosphere reserves adequately.

One mechanism for private sector fundraising could be the award of a regional or national biosphere reserve trademark which accredits a product or an enterprise for its sustainability or its substantial progress towards better sustainability. Such a trademark could generate income and encourage the development of sustainable industries locally and regionally. One of the many sectors in the ACT that could benefit from a biosphere reserve accreditation could be the tourism sector. The Barkindji biosphere reserve has significant and underdeveloped cultural tourism and eco-tourism potential, as does the ACT. The committee appreciates that such an accreditation would need to be carefully developed so that it maintained its integrity

and value. In the committee's view, this issue needs further consideration and should also be addressed in a national review of biosphere reserves.

A related issue concerns governance structures for biosphere reserves. The committee has learnt from its research and interstate visit that governance is a key issue for each biosphere reserve that complies with UNESCO's program guidelines by including human settlements and development areas within the biosphere. These inevitably have diverse land tenures and pre-existing governance arrangements. The committee has learnt of the challenges being addressed through the governance arrangements in the Mornington Peninsula and Western Port Foundation, which include a board, and regional roundtables that have foundation membership. These are partly a response to the geographical challenges of the area. Barkindji Biosphere Ltd is also a company managed through the board. These are not necessarily appropriate governance models for the ACT, which already has a range of functioning regional and sub-regional organisations which share commitments to sustainability. The committee has received various submissions suggesting possible governance arrangements for the ACT biosphere reserve and will make recommendations in its final report.

Following its visit to interstate biosphere reserves in March, the committee came to the view that an open national network is needed to promote linkages amongst biosphere reserve stakeholders who share a commitment to sustainable development. A national network could promote better information exchange and capacity building, and the monitoring and evaluation of biosphere reserve achievements and lesser outcomes. Effective communication mechanisms such as email lists, newsletters, brochures, linked websites and signage could facilitate the growth of such a network.

The committee regards key documents from other biosphere reserves, such as annual reports, memoranda of understanding agreed amongst stakeholders such as indigenous groups, regional bodies and local governments, and environment and industry associations, to be useful for the proposed ACT biosphere reserve, as may other emerging biosphere reserves. A network could facilitate the exchange of such documents for agreed purposes. The committee considers it important to identify these and other practical outputs and outcomes that biosphere reserves achieve and to periodically review these. Agreed monitoring and evaluation indicators and processes are needed, drawing on the Seville strategy for biosphere reserves.

Finally, I would like to thank several people who ensured that the committee's visit to the interstate biosphere reserves was both enjoyable and very useful. On behalf of the committee I thank in particular Mr Jack Krohn, James Fitzsimons, Craig Forster, John Irwin, Ken Mansell, Robin Borger, Virginia Richardson, Alison Kuitert, Jim Keryn, David Buntine, Michael Kennedy, Bill Tatnall, Michael Gilby, Ralph Kenyon, Libby Anthony, Rob Gell, Reade Smith, Ian Weir, Hanna Jaireth our secretary, Mary Goring from the committee office, Claire Bongiorno and Lydia Chung.

Public Accounts—Standing Committee Statement by chair

MR MULCAHY (Molonglo): Mr Speaker, pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts. In

relation to the review of Auditor-General's performance audit report No 4 of 2006, *Road safety*, on 27 June 2006, Auditor-General's report No 4 of 2006 was referred to the Standing Committee on Public Accounts for inquiry. The committee received a briefing from the Auditor-General in relation to the report on 25 October 2006. After consideration, the committee has resolved to inquire further into the report. The committee is expecting to report to the Legislative Assembly for the ACT on the Auditor-General's report as soon as practicable.

In relation to the review of Auditor-General's performance audit report No 2 of 2006, *Public housing*, and Auditor-General's performance audit report No 3 of 2006, *Management of trust monies and other non-public monies*, on 7 June 2006, Auditor-General's report No 2 of 2006 was referred to the Standing Committee on Public Accounts for inquiry. On 27 June 2006, Auditor-General's report No 3 of 2006 was also referred to the Standing Committee on Public Accounts for inquiry. Consequently, the committee received a briefing from the Auditor-General in relation to the aforementioned reports on 25 October 2006. The committee considered inquiring into the reports and resolved that they do not warrant further inquiry.

In relation to the review of Auditor-General's performance audit report No 6 of 2006, *Vocational education and training*, on 19 September 2006, Auditor-General's report No 6 of 2006 was referred to the Standing Committee on Public Accounts for inquiry. The committee received a briefing from the Auditor-General in relation to the report on 14 February 2007. After consideration, the committee has resolved to inquire further into the report. The committee will inquire into and report on the efficiency, effectiveness and economy of the administration of VET in the territory, focusing on: (a) the effectiveness of current VET strategic measures for meeting current and future needs; (b) adequacy of current measures used to record and report on VET; (c) capacity of the VET administrative framework to initiate, support and sustain change; (d) adequacy of current measures used to monitor RTO performance; and (e) effectiveness of consultation arrangements with industry, students and the community. The committee's inquiry will be limited to the information contained within the audit report. The committee is expecting to report to the Legislative Assembly for the ACT on the Auditor-General's report as soon as practicable.

Housing Assistance Bill 2006

Debate resumed from 14 December 2006, on motion by **Mr Hargreaves**:

That this bill be agreed to in principle.

MRS BURKE (Molonglo) (12.19): The Liberal opposition supports the introduction of the Housing Assistance Bill 2006 which, it is noted, replaces the Housing Assistance Act 1987 with what would be hoped is a more responsive legislative framework, allowing Housing ACT to improve the implementation and management of the provision of housing assistance in the ACT.

It should be noted from the outset that a clear definition of what constitutes "housing assistance", as appears in this bill, should send a very important signal for Canberrans about the way in which the government should have been, and now clearly will be, delivering very targeted forms of such assistance, as stated in the Commonwealth-

State Housing Agreement, to those Canberrans most in need for the duration of that need.

Mr Speaker, I am a firm believer in the provision of adequate and well-managed public and community housing in the ACT. We are a small jurisdiction that may not face the most difficulty, compared to other states or territories, in providing suitable social housing options to needy Canberrans. However, this should mean that with the right legislative measures in place, coupled with sound management practices, anyone should be given the best possible support from the housing assistance program to access accommodation options in a rapid and responsive manner.

I note with great interest that some of the “main objects” of the legislation canvas issues such as ensuring that all Canberrans have access to housing that is affordable, secure and appropriate to their needs for the duration of that need. In turn, it is certainly encouraging to see that this government has recognised in the legislation that it must facilitate “the provision of housing assistance for those most in need”—as I said, as stated in the commonwealth, state and territory housing agreement. This is an issue which I, as shadow housing minister, have made very clear many times publicly over the past few years.

I was interested to learn yesterday that ACTCOSS wrote to the Stanhope government to outline some apparent concern with this bill. They went to quite extensive trouble and I have taken the liberty of emailing them to thank them for their input. Apparently there was not sufficient exposure of the bill for public consultation or comment. I would certainly be interested to listen to the minister’s viewpoint on what ACTCOSS has raised in relation to the consultation process and the issue of a lack of good governance by the Stanhope government.

In their quite strong statement, ACTCOSS infers “that ACT government public and community housing policy currently appears to be developed in a disjointed and reactive manner, rather than within a strategic framework that clearly articulates the principles and policy direction the government wishes to pursue”. I would like to believe that changes to the legislation and other recent changes to government housing policy have not been made without adherence to government guidelines on consultation or policy development processes. As I have said, I would appreciate hearing the minister’s view on this issue raised by ACTCOSS. It is a very courageous call to infer that the Stanhope government is developing policy in isolation but I really have to join with ACTCOSS and say that good, open and accountable governance has not been a hallmark of this government and is certainly not its strongest point to date. I am almost certain that the Canberra community would expect that a broader consultation process should have been undertaken.

However, I do not agree with ACTCOSS’s assertion that there is not a need to specify prescribed terms in relation to “eligibility criteria” to access the housing assistance program. Regardless of who governs in the ACT, it is the responsibility of the Minister for Housing to make a clear distinction about who should be eligible to have access to and sustain a Housing ACT tenancy agreement. The concept of providing public housing should not be centred around universal access. We are a small jurisdiction and in relation to other states or territories we allocate a quite modest budget for social housing. Given that housing assistance should be for those in

greatest need for the duration of perceived or unmet need, it is important to set clear boundaries about who can access public housing. Those who have the financial means to access the private rental market or home ownership should do so.

The notion of the good old days of a public housing property for life remaining are unrealistic, outdated and outmoded. The current system simply had to change, and I see the minister nodding his head. Of course, I am very happy about that because he knows that we have been pushing him and his department officials on many of these issues for a long time. So it is good to see a bipartisan approach—and hopefully a tripartisan approach if the Greens come on board with what the minister is trying to achieve here. The current system simply had to change. After six years and much pursuing of the government by me particularly and the opposition generally, I am seriously pleased to see a more sensible approach.

The government has an obligation to assist Canberrans who require housing for a period of need and who should be encouraged and supported wherever possible to enter into other forms of housing. The Liberal opposition will, of course, be monitoring closely the issue of information gathering from applicants who wish to access social housing. Again, this was raised by ACTCOSS and I do share some of the concerns with them on the matter of privacy of a tenant and the importance of maintaining integrity of data collection. Housing ACT should have the opportunity to improve, within reason, information collection on its tenants. I am hoping that the minister will be able to expand on how this data collection and the safe keeping and use of such information will occur.

ACTCOSS raised a concern about the manner in which Housing ACT can demand information from tenants “at any time” and whether or not this is discriminatory and could possibly lead to further possible stigmatising of public housing tenants. I have to say that I and the opposition welcome the move by the government. However, we probably need to make it quite clear that such information will be collected equally on all tenants regardless of whether they are in receipt of a rental rebate or are full market renters. It makes the system fair and even, so I do not really see any discrimination occurring here.

This seems to display a new willingness by the Stanhope government to rationalise the operations of Housing ACT. The Commissioner for Social Housing must have the opportunity to monitor which tenants should be encouraged to take up other housing options in the market—for example, shared equity home ownership—or in other cases reviews could be conducted in respect of rental rebates to ensure that the correct amount of rent is collected and that a tenant is not unnecessarily disadvantaged by paying the incorrect amount of rent. The Liberal opposition has also talked about annual income assessment reviews and perhaps this is moving along those same lines to make sure that people access public housing for the duration of their need.

Efficient and timely collection of data is certainly the most appropriate way to ensure that any tenant is paying the correct amount of rent and in turn is also still eligible to maintain a Housing ACT tenancy agreement. Within reason, the commissioner should have the right to seek information that will assist in improving the provision of housing assistance in the ACT.

If the Stanhope government is making the effort to effectively provide ongoing assistance to enhance the management of the public housing system, the Liberal opposition offers support to such a notion. If efficiency gains are being made and a service can still be offered to the optimal amount of clients then that is good governance and demonstrates preparedness by a government to display good financial management. It is high time the Stanhope government showed such capabilities in the social housing sector. I trust that the introduction of the Housing Assistance Bill 2006 is the first step of the Stanhope government towards sending a clear message to the community that it is prepared to implement sound public policy. It takes courage to make decisions about expending public money, particularly in the area of public housing.

For years the opposition has called on the Stanhope government to make tough decisions concerning fair and reasonable access to public housing. It is imperative that any government of the day continues to refine legislation and public policy that reflects community expectation and also signifies that government considers social responsibility coupled with sound fiscal management. It seems that the Stanhope government has had to accept it is time to adopt such an approach to governing in the ACT.

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 12.29 to 2.30 pm.

MR SPEAKER: Members, the speech timing device is still inoperative. Earlier on, I mentioned that we might use the sand timer to give members an indication that four minutes were left, but in question time, because it is such rapid fire, we will not be able to reset the thing, so you will just have to take my word on it.

Questions without notice

Capital works program

MR STEFANIAK: My question is to the Chief Minister and Treasurer. Treasurer, in an article in the *Canberra Times* on 18 April 2007 in relation to the capital works program progress reports, a spokesman for ACT Treasury is quoted as saying that the capital works program progress reports were:

... neither required by legislation nor useful outside the bureaucracy ... were not user-friendly to the public ... were determined ... to more appropriately be used internally within government.

Treasurer, in the code of good government that you released on 14 March 2001 you spelt out the values you saw as important for the process of government, including integrity, openness, honesty, responsibility and accountability. Treasurer, when did you approve the suppression of the capital works program progress reports?

MR STANHOPE: I thank the Leader of the Opposition for the question, but it is certainly not the case, as suggested rhetorically by the Leader of the Opposition, that I

have ordered the suppression of capital works reports. As my spokesperson indicated in that particular report that the Leader of the Opposition refers to, it is indeed the case, I am advised, and I think members are aware, that the provision of public capital works reports is not a legislative requirement.

It is a fact that the government has not tabled a quarterly capital works report in the Assembly since September 2005. It is interesting, of course, that it has taken the Liberal Party 18 months to notice, but I guess that is consistent with the attention to detail that is a feature of the opposition in this place. The practice of tabling capital works reports was discontinued at that time. But that does not mean that the fact that a particular quarterly report that was previously tabled is not tabled. That discontinuance does not, of course, mean that the provision of information in relation to capital works has ceased at all. It is just that that particular avenue—namely, a quarterly capital works report, which was one of the avenues that one might have pursued to seek advice or information on capital works—is no longer available; but, of course, there are other avenues available to members.

The quarterly capital works report format was, as I have said, considered, I think, early in that particular financial year that I referred to, from which the discontinuance emanated as part of a review of budget related requirements. The reports were certainly not user friendly. They were largely comprised of very complex spreadsheets that listed individual projects and funds spent against a particular project as at a certain date. The reports were determined and—I think it was always thus—were essentially structured and formed to inform internal government or agency use. Public information available in regard to capital works programs can, however, still be found in the government's budget papers, including information regarding estimated outcomes. Actual outcomes, of course, are reported in agencies' annual reports and tendering, and contractual information can be found in the government's procurement website base at act.gov.au.

The public are also, of course, provided quite regularly with information with regard to high-interest or high-profile projects by agencies through a number of forums, including through project updates, which are included on departmental websites, and through media releases. The government continues to collect information and develop the quarterly capital works reports as an internal management tool and the reports are now used to advise government in a more informed manner.

As I said, five quarters passed before the opposition actually noticed or bothered to raise a question in relation to the fact that quarterly reports were not being published. It took the opposition a year and a half to realise that this particular format was not available and for very good reasons. Quarterly reports are on file, and if there is a specific need or reason for them to be released then of course they could be released.

MR STEFANIAK: Mr Speaker, I have a supplementary question. Treasurer, why are you allowing bureaucrats under your control to adopt a policy contradicting your commitment to the public to be open and accountable?

MR STANHOPE: As I said, there are a number of avenues available—particularly to members in this place and to the public—to identify and assess capital works projects and progress in relation to expenditure on capital works projects. There are significant

opportunities available to members in this place, particularly through the two quite exhausting estimates processes, which are a feature of this Assembly, particularly through agency annual reports.

Agency annual reports are complete documents. They contain detail in relation to capital works and expenditure on capital works there for all the world to see as an annual report. There is a significant opportunity for each of the agency estimates committees to pursue capital works projects through that particular process. Capital works are a significant part of budget. And a significant aspect of the budget process is, of course, the estimates committee.

Once again it has to be acknowledged that there were, I think, five quarters during which the Liberal Party did not notice that quarterly reports were not being tabled. They had those opportunities. Potentially over that period there were at least three opportunities for estimates. It would be interesting to do a review of the extent to which the Liberal Party bothered to ask any questions about progress of capital works projects. You probably will not find a question; I cannot remember any.

Once again, that is very much a reflection on the quality and the capacity of those Liberal Party members of estimates committees. The level of their interest or their capacity to review or to research is such that these things were not on their agenda or they were not prepared to pursue them.

It is a complete furphy to suggest that because one particular avenue for obtaining information in relation to a particular aspect of government activity—namely, a quarterly capital works report, which was essentially a report developed and produced for internal agency use—is no longer available, that all of a sudden—shock-horror!—there is no information available. It is available in agency annual reports; it is available in the budget documentation.

These are issues that can be pursued through estimates with officials, in relation to both annual reports and the budget; issues that could be pursued through this place in relation to questions on notice or questions without notice; and issues that could be pursued through the myriad inquiries that are part and parcel of the very open and transparent nature of governments in the territory through a range of standing committees, half of which are chaired in a unique, Australian-only circumstance—except of course in the Senate; not including the Senate. Since the Liberal Party federally decided to abolish the age-old practice within the Senate of sharing the chairmanship and—

Opposition members interjecting—

MR STANHOPE: Do you want us to pursue that across the board? The fact remains: this is the only parliament in Australia where the government has been prepared to share the chairmanship of its standing committees. Not even your colleagues up on the hill are prepared to extend that capacity to the opposition in that place; this is the only parliament. If you have a concern about the availability of or access to information in this place where you chair and control half of the standing committees, then, as I said, look at yourselves and reflect on your own capacity, your own interest,

your own work ethic and your own willingness to do the hard yards that we are all paid to do.

That is the two-edged nature of the sword. You willingly grasped these opportunities to chair and control standing committees and now you are whingeing about your capacity to access information. Look at yourselves and your work ethic. If you are not prepared to do the work, hand responsibility for those committees to the government that is prepared to do the work.

Public service—credit card use

MRS BURKE: My question is to the Chief Minister.

MR SPEAKER: I cannot hear you, Mrs Burke; your colleagues are chattering away.

MRS BURKE: The voice is getting better, but bear with me. My question is to the Chief Minister, through you, Mr Speaker. The Auditor-General, in a letter to the shadow Treasurer on 28 February 2007, said:

I believe the findings and recommendations of the Audit Report No. 1 of 2007 titled Credit Card Use, Hospitality and Sponsorship, while limited in coverage, have wider implications for all ACT agencies beyond those audited.

In that report, in relation to hospitality and entertainment expenses, the Auditor-General found the following:

Prior approval for hospitality expenditure was not always obtained and details of guests and the purpose of the event were not always recorded.

Chief Minister, how can the people of Canberra be assured that their tax dollars are being spent on hospitality with proper levels of accountability?

MR STANHOPE: I am sure that the people of the ACT are assured by the fact that we have an independent auditor who earlier this year delivered a very significant report into issues around credit card usage within the ACT public service.

I would have thought that, if a community were looking for some assurance around a government's willingness to be open and transparent, the first measure of that willingness would be a well resourced, unfettered, statutory, independent auditor with an open and unrestricted remit to look at every aspect of government expenditure. Indeed, through the Auditor-General's investigation into and report on credit card usage within the Australian Capital Territory public service, we see precisely that—a report which identified some minor discrepancies, at the edge, in relation to form and formality around credit card use.

Go to the report; go to the detail of the report. Identify for me those parts of the report that engendered a serious censure, by the auditor, of any office or official within the ACT public service. Certainly some irregularities were identified; that is to be regretted. But at one level it is also to be understood that, by the nature of expenditure by any person or any public official travelling where hospitality is required or

expected, there are issues, such as those reflected in the question, around what is an appropriate level.

The tests in relation to, say, official entertainment are subjective as to what is appropriate, expected and delivered. That is the case at all levels of government and throughout business. There are different expectations and different levels of what would be appropriate in relation to expenditure on official entertainment—depending on the nature of the organisation; whether or not it is a commercial entity with perhaps a different culture; and the nature and level of the official entertainment and expenditure, particularly where it involves alcohol. For an ACT public servant, the situation would certainly be different from what one would expect from, say, one of the ACT's TOCs. With a commercial enterprise, as opposed to a non-commercial enterprise, the expectations are different. I would expect a different level of expenditure—and, indeed, accountability—in relation to that.

To conjure up some great ogre around maladministration or misfeasance involving credit card use within the ACT is an unjustified slight and slur on the ACT public service. In the Auditor-General's report there was no suggestion of widespread misuse. There were some instances, essentially characterised by the auditor as irregularities. To that extent, that is to be regretted. Indeed, as a result of that particular inquiry—perhaps it was not that inquiry, perhaps it was a result of the Auditor-General's report into Rhodium; I will have to check—I sought assurances from my agencies in relation to credit card use and the appropriateness of credit card use.

These are issues that bedevil all organisations. I know it is an issue much in the minds of the Australian Hotels Association and auditors at all levels of government. Whether an organisation is public or commercial, it must deal with the issues of governance and operation.

We are open; we are transparent. We have an independent, well resourced Auditor-General who has recently undertaken an inquiry into this issue in relation to the ACT public service. While I have some regrets, as I am sure do some other individuals, I am essentially satisfied with the levels of reporting and the levels of review, transparency and accountability of ACT government officials. To grouse and seek to stir up a campaign of fear and loathing in relation to ACT public servants around credit card usage is, to be blunt about it, most regrettable. (*Time expired.*)

MRS BURKE: Given that, by your own admission of regret and what is contained in the Auditor-General's report, some irregularities were found, what action have you taken to ensure good governance through thorough record keeping and accounting practices?

MR STANHOPE: As I just indicated, we have a well resourced, independent Auditor-General—statutorily independent—who reviews these issues. And, as I just said in response to the initial question, at some stage—I would have to check and clarify the timing—I have sought personal assurance from all ACT government agencies in relation to processes in place for ensuring appropriate and accountable use of credit cards.

These are serious issues. It is a serious matter. The public have a right to be assured that public moneys are only used appropriately, consistent with rules and guidelines. I have sought those assurances.

Affordable housing action plan

MR GENTLEMAN: My question is to the Chief Minister. Would you please outline for the Assembly the steps the ACT Labor government is taking to ensure safe, secure, appropriate and affordable housing for all Canberrans and detail the major initiatives in the recently announced affordable housing action plan?

MR STANHOPE: I am very happy to outline for members of the Assembly the strategy adopted and developed, which has subsequently been adopted by the ACT government, on housing affordability and the government's commitment to implement that particular report. This is a very good piece of work by ACT government officials, with some assistance from external consultants, certainly.

This was a project driven by a proper cross-government group of officials which, I believe, was rigorous, expansive and visionary and involved some quite significant lateral and creative thinking by ACT government officials. At the end of the day, it resulted in the development of an excellent report which, as I say, we have accepted and implemented and which I believe, over time, will have a significant effect on our capacity to stabilise house and land prices within the Australian Capital Territory and will, over time, have a significant effect on housing affordability.

As we are all aware, we have had, over the last five or six years, very significant increases in the price of both land and houses within the ACT and around Australia. This is a national issue which has affected every major city in Australia. The ACT has not been exempt from that particular effect over the last six or seven years. It was in about 2000 that prices of land, particularly, and then houses began to increase exponentially, to the point where house prices more than doubled in the last five or six years, as has the price of land.

The key initiatives in the plan involve increasing the supply of affordable land to the market; regular en globo land sales; over-the-counter sales of affordable housing blocks; new house and land packages priced between \$200,000 and \$300,000; a major expansion of community housing that would deliver an additional 480 affordable dwellings over five years and up to 1,000 over 10 years; an initiative, through institutional investors, to increase the supply of private rental dwellings by 200 to 400 homes in the first instance; land rent and shared equity schemes, including for public and community housing tenants; and targeted stamp duty concessions.

The steering group's report and the subsequent action plan which I mentioned were developed following extensive discussion and consultation with community organisations, industry groups and other stakeholders. The action plan builds upon a range of existing initiatives such as the allocation of additional funding to public housing in the last ACT budget, coupled with recent announcements to increase the supply of land through the release of an additional 500 blocks at west Macgregor, taking the total release in 2006-07 to 2,800 blocks.

We are moving quickly to implement the action plan. I have established a high-level team within the Chief Minister's Department, headed by the former executive director of the Master Builders Association, Mr David Dawes, to oversee the implementation of the plan. The plan contains 60 broad-ranging actions relating to all areas of housing. I am certain that Mr Dawes, with his wide experience in the building industry, his contacts, his business knowledge and his strategic skills, will aid the smooth and timely implementation of the plan.

Mr Dawes and the team that has been gathered to assist him will review the residential land release targets annually within the life of the strategy; report on progress with implementation and status of the land pipeline twice a year; review compliance with the land release pipeline strategy annually, whether there is an adverse effect on the balance of supply and demand; monitor the market to ensure sufficient diversity of product; and monitor the development of other shared equity models that are in consideration for the broader community to test their suitability for the ACT.

This is an excellent plan. It is timely. This is a significant issue. There are a significant and, regrettably, growing number of Canberrans who either are having significant difficulty accessing affordable housing or have been squeezed out altogether—a plight which we all acknowledge—of the great Australian dream, the capacity to own our own home. They have increasingly been forced into the rental market. Perhaps some have been forced to access public housing, a circumstance which they imagined would not be part of their life experience. This is a timely report. This is a significant national issue which we are addressing here. (*Time expired.*)

MR GENTLEMAN: Chief Minister, what specific action, then, is the government taking to increase land supply under this strategy?

MR STANHOPE: One of the major initiatives announced in the government's affordable housing action plan is the release of more land for affordable housing and the streamlining of land release processes to enable land to be brought to the market more quickly. That, of course, will help all purchasers of new dwellings, but particularly assist moderate income households to enter into home ownership. The reforms build upon the additional land releases announced earlier this year by the Minister for Planning and on the government's land supply strategy for 2006-07 to 2010-11 that I released last year.

Overall, the aim of the action plan is to better match supply with demand in the medium term. To do so requires a range of initiatives combined with system reforms to ensure that we can respond appropriately and in a timely fashion. Specifically, the government is releasing an additional 1,500 blocks for residential development and ensuring that there is a spread of locations and sizes to cater for all income levels in the market; supplementing the land release program by providing more land to cater for the expansion of community housing and private rental programs; introducing a program of regular en globo releases, targeting two land sales annually with at least one-third of land released through this means; and introducing over-the-counter land sales at a range of block sizes and prices, particularly focusing on the release of land priced between \$60,000 and \$120,000, thereby allowing home buyers to establish dwellings in the range of \$200,000 to \$300,000.

To ensure ongoing access to affordable housing, the government will require that 15 per cent of the blocks be priced in the \$60,000 to \$120,000 price range. We hope to achieve that by introducing a range of block sizes, rather than by cross-subsidising the affordable blocks through inclusionary zoning. It is important that the government is able to more accurately monitor the supply of available land at each point in the pipeline so that it can more promptly respond to changes in demand. Accordingly, more robust mechanisms are being developed to calculate and monitor the developers and builders pipelines and distinguish between greenfields and redevelopment sites. We will also adopt a one-year builders and a three-year developers pipeline and maintain an inventory on the shelf at each stage to improve responsiveness. The government will also add an inventory to the pipeline of approved estate development plans accounting for eight to 12 months of current demand.

Those are in a more formal sense the particular initiatives that the government will pursue to ensure that supply does meet demand. It has been an issue over the years, at times very difficult for the government and its agencies to monitor and, essentially, to get right as a result of decisions outside of our ken which are made from time to time and which most particularly and most recently occurred in the last federal budget, where the commonwealth announced a very significant increase in the size of its public service, an increase which really did require our agencies, both the LDA and ACTPLA, to race to catch the enormous spike in demand.

That was prompted by a decision by the commonwealth to increase its Canberra-based work force by—at this stage we are not entirely sure—potentially somewhere between 5,000 and 7,000 public servants, with very significant implications, of course, for our capacity quickly to respond to the extra demand that was generated by that decision, one which we did not anticipate, which did take us by surprise, as welcome as it was. We have been racing to catch the level of demand that has been generated most particularly as a result of that and, indeed, as a result of the enormous strength of the ACT economy, a strength of which, of course, this government is very pleased to have been a part.

To that extent, the growth and the development are very much a sign of the success of this government and of the ACT economy growing as strongly and with the vigour that it is. We are to some extent a victim of our success. This government has, essentially, been too successful. We have driven the economy so hard and we have achieved so much that, essentially, agencies, the construction industry and development generally have not been able to keep pace with the government. I do not intend to slow down, however. The economic successes of the last five years are something of which we are enormously proud and, of course, we are not going to slow down. We have no intention of slowing down just because others within the territory have had trouble keeping up with us. (*Time expired.*)

Pace egg farm

DR FOSKEY: My question is to the Chief Minister. It concerns the Pace egg farm in west Belconnen. I understand that the new cage system that Pace Farms is required to install by 1 January 2008 will be very costly and that Pace may be considering closing down its operation here in Canberra, especially given the proximity to the new

housing development at west Macgregor and, perhaps, in response to the government's concern that its continued existence may compromise the ACT's UNESCO biosphere proposal. My question to the minister is: has Pace Farm contacted the ACT government about a compensation package in the event of its closure? If so, what stage have the negotiations reached?

MR STANHOPE: I thank Dr Foskey for the question. To respond to your question, after question time today I will seek more direct information as to whether the ACT government or any agency or part of it has been involved in negotiations in relation to the egg farm. I am not aware of any. I am not aware of any suggestion that there is any concern that the location of an egg farm at Parkwood in any way impacts on, or is affected by, residential development or proposed development at west Macgregor. I know of absolutely no concern from within government or by the owners and operators of that facility.

I read the report in the *Canberra Times*. I must say I have not followed up on it, but I read it and was surprised by it because it had never been brought to my attention. Subsequent to that particular newspaper report, I have not received a briefing on it. I am not able to say that no such contact was made or that no such concern has been expressed, but none have been brought to my attention and I am not aware of any. I was reasonably closely involved with the development proposals in relation to west Macgregor. This is an issue that would have been brought to my attention, and I can tell you that it was not.

In response to your question, Dr Foskey, I will seek some additional advice because it may be that there are officers within the ACT public service that have been involved in conversations. But I can say to you that I have not received any information. I have not had a single conversation where the issue was raised. I am not aware of any concerns and I cannot imagine that they would be valid or relevant. The distance between west Macgregor and the chook farm is even further than between Jerrabomberra and the jail.

My colleague Mr Gentleman may have some more up-to-date information about the implications of a UNESCO biosphere incorporating a chook farm, but I am not aware that that would be an inhibiting factor. If it were, I would abandon the biosphere reserve proposal rather than abandoning the chook farm.

It is interesting to note that Parkwood eggs, whilst only one of the 88 rural producers in the Australian Capital Territory, actually produces in dollar terms exactly 50 per cent of our agricultural output. It is a very significant and important part of our rural industry or collective. We have 88 rural producers, and the largest and most significant rural producer in the Australian Capital Territory is our very own chook farm. It is an important part of our industry and I am very supportive of it. I am not aware of any concerns at all about its continued existence. But I will follow this up and provide Dr Foskey with any other information that there may be.

DR FOSKEY: I ask a supplementary question. Is the Chief Minister aware that an earlier Labor government actually passed legislation which, had it been endorsed by other states and territories, would have outlawed both the production and sale of farm eggs? You seem to be going back on that commitment.

MR STANHOPE: No, Dr Foskey, I do not believe it is going back on that commitment. That was the position that we adopted and which we have historically held. I think anybody that works their way through the issue would accept that it is a policy position that really would only be practical if it were applied nationally. That is the position that we have adopted. When there is a national approach or a national ban on battery hens then we will implement the position.

In the context of the full debate around egg production and the care and treatment of hens involved in egg production, there is an issue of the appropriateness of the battery arrangement. This party and this government have previously adopted a position in relation to that. It was a position tempered by an acknowledgement that that particular policy position was only relevant as part of a national approach to the issue. I think that is sensible and reasonable, and that remains the position.

Public service—credit card use

MR MULCAHY: My question is to the Chief Minister. On 22 February the *Canberra Times* put the following question to four ACT government departments: how much money—through credit cards or other means—did your department spend in 2005-06 on accommodation, conferences, courses and training, and meals, drinks and catering? Only one of the four government departments was able to provide an answer. Chief Minister, why are government departments unable to provide what should be basic information on expenditure from their accounting records?

MR STANHOPE: I will have to take advice on the specifics of the answer to that question, Mr Speaker. I am sorry I do not have that available to me. I would have thought I had a brief on it, but I cannot find one; so I will take the question on notice.

MR MULCAHY: Then I have supplementary question, Mr Speaker. In the light of that, what action are you taking to ensure that good governance practices are adhered to in ACT government departments?

MR STANHOPE: As I indicated in answer to an earlier question, good governance is very important to this government and I think it is reflected in the way in which the ACT public service conducts itself. It is a fine public service and I have to say that I am rather disturbed, and at one level distressed, that the Liberal Party, once again, think that public servants are fair game. It is a feature of the Liberal Party in this place, and it has been for the last five years, that, if you are looking for an issue, if you cannot be bothered to do the hard yards or the hard yakka of opposition, you find somebody to pick on, particularly within the ACT public service. It is a sign of desperation, it is a sign of weakness, that in an effort to generate a story—if you want a story, if you want a bit of spin, if you want a twist, if you want to create some scandal—you just generate some innuendo; put it out there that there is an issue in relation to credit card use within the ACT public service.

I am not aware of it. I do not know of it. I am aware of a report by the Auditor-General, which was, generally speaking, quite unremarkable. It mentioned some irregularities in reporting here and there, at the margins, at the edges. It did not excite any particular—

Mrs Burke: So that's all right then, is it?

MR STANHOPE: It is not all right. Any failing by any public service of a duty or obligation, be it the processes or systems in place or rules relating to credit card use, is a serious issue—a very serious issue—and it is a matter of regret and disappointment to me that highly-paid senior public servants cannot get the basics right. It is a matter of enormous regret—but it is not a hanging offence, and the issues and the incidents identified by the Auditor-General were, quite frankly, right at the margins.

I think the bigger sin in relation to this episode is that you, for crass political advantage, have no compunction about seeking to essentially besmirch the reputation of all senior ACT public servants as a group or collective; that you think it is appropriate, without any specific allegation. Come in and ask me the question now about the particular incident that you believe justifies you creating, or attempting to create, a circumstance or an atmosphere of scandal. Name the incident or the case and let us get down to tintacks, rather than this broadscale attempt to besmirch the reputation of the public service.

Health—World Asthma Day

MS MacDONALD: My question is to Ms Gallagher in her capacity as Deputy Chief Minister and Minister for Health. Minister, as you would be aware, today is World Asthma Day. Could you update the Assembly on the prevalence of asthma in our community and measures being taken to reduce and control it?

MS GALLAGHER: Today is World Asthma Day, and this morning the Chief Minister launched the day in Canberra with the Asthma Foundation at Fraser primary school. It is an annual event designed to improve asthma awareness in the community. In 2007 the theme for the day is 'you can control your asthma'. This theme reflects the importance of ensuring that children with asthma are able to control their disease.

People with asthma have sensitive airways in their lungs. When exposed to certain triggers, their airways narrow, making it hard for them to breathe. Asthma cannot be cured, but it can be controlled so that sufferers are able to carry out daily activities without symptoms. With proper management, the vast majority of patients can control their asthma.

Asthma is one of the most common reasons children are admitted to hospital. That is why it is so important that we ensure that community awareness of asthma is high, particularly within our school communities. I would like to acknowledge the work of the Asthma Foundation of the ACT in organising events for World Asthma Day and all their efforts to raise asthma awareness in the community and provide support to people with asthma in the ACT.

One particularly important activity of the foundation is its work with the asthma-friendly schools program. This is a national program that aims to have all schools accredited as asthma friendly. An asthma-friendly school supports the whole community in understanding and managing asthma; contributes to the development of a safer, healthier and more supportive school environment for people with asthma;

and links with health and education sectors, parent representative groups and asthma foundations.

The launch today occurred at Fraser primary school, as it is the 70th school in the ACT to become accredited. Congratulations to Fraser primary and to the 69 other asthma-friendly schools in Canberra. Today the Asthma Foundation of the ACT also becomes a full member of Asthma Foundations Australia and launches its new website. All members can look at that at asthmaact.org.au.

On the national scale, more than two million Australians suffer from asthma. But a report released today by the Australian Institute of Health and Welfare shows that the rate has thankfully fallen from 11.6 per cent in 2001 to 10.3 per cent in 2005-06. This is welcome news. The report found the rate of asthma in the ACT did not differ significantly from the national average. Sadly, however, children with asthma continue to be exposed to one of the key risk factors for asthma—smoking, particularly in the home. The report has found that more than one in 10 children with asthma have parents who smoke at home, despite warnings that it can make their condition worse.

Today is a timely reminder to all of us of the dangers of exposing children to passive smoke. Efforts of our health system and organisations such as the ACT Asthma Foundation are helping to reduce the prevalence of asthma. But World Asthma Day reminds us all that we must be vigilant to ensure that young lungs are not exposed to risk factors such as passive smoking.

MS MacDONALD: Mr Speaker, I have a supplementary question. Minister, could you please provide details on measures being undertaken by the ACT government to reduce the prevalence of asthma?

MS GALLAGHER: The ACT government offers a wide selection of programs to support people living with asthma and to reduce the prevalence of asthma in the community.

The child, youth and women's health program in ACT Health runs the community asthma support service. This service employs asthma educators to provide education sessions for children and young people up to 25 in the community. Asthma educators from this service conduct home visits to educate children and young people about their asthma equipment and medication. Asthma educators also educate staff in childcare centres and preschools, and childcare students at CIT, and visit schools to provide education to teachers.

The emergency departments at both our public hospitals and GPs are supplied with community asthma support service packages to distribute to clients with asthma. The service also receives referrals from hospitals and the GPs. The Canberra Hospital also employs an adult asthma educator, who provides asthma education services to adult inpatients at TCH and outpatients across the ACT. Due to the strong links between smoking and asthma, the TCH asthma educator also provides one-on-one smoking cessation counselling to inpatients, outpatients and TCH staff.

It should be noted that the vast majority of people with asthma are managed and managed very well by their GPs in their communities. We assist the GPs with support and resources for asthma patients. But the role of GPs in ensuring excellent access to primary health care and treatment programs for people suffering from asthma cannot be underestimated.

One of the key risk factors for asthma is smoking. In recent years, the ACT government has taken significant measures to reduce exposure to passive smoke in our community. The recently enacted Smoking (Prohibition in Enclosed Public Places) Act has been in operation for more than two months. It prohibits people from smoking in any enclosed public place such as a restaurant, pub or nightclub. These laws seem to be going very well. The Office of Regulatory Services reports that only a few complaints have been received about smoking in enclosed public places. Those premises have been very proactive in rectifying the situation.

There has been a range of public health information and ads around the laws. These ran during the last part of last year and early this year. Information fact sheets and flyers have been developed and distributed. The change to smoke-free indoor areas has gone very well. Over the next few months the government will be pursuing a range of other tobacco control measures. These will all help to support and reduce the prevalence of asthma in our community. Happy World Asthma Day everyone.

Public service—credit card use

MR SESELJA: My question is to the Chief Minister. In the 2006-07 budget, your government introduced and increased a raft of new government charges that had a significant financial impact on the people of Canberra. Mindful of these charges, can you, as Chief Minister, explain, in response to information obtained by the *Canberra Times* under the Freedom of Information Act, expenditure at Strandbags by named employee A of \$185; at Strandbags by named employee B of \$160.70; at Indigo restaurant, London, by named employee C of \$1,626.85; at Lime restaurant, Manchester, by named employee D of \$432.65; and by named employee E to make two cash advances of \$1,104.24 and \$570.26?

MR STANHOPE: I cannot, off the top of my head.

Mrs Dunne: You asked us to ask a specific question.

MR STANHOPE: I am more than happy to provide the details of those expenditures, but I certainly cannot conjure up a response or an explanation for those particular expenditures. I repeat what I said: there are quite rigorous guidelines for the use of credit cards by ACT public servants. The guidelines are very much in tune or in accord with guidelines that are used by every government in Australia.

As I indicated earlier, I cannot quite remember or recall the sequence of events in relation to this audit. I think it was as a result of the Auditor-General's inquiry into Rhodium that I sought from my chief executives assurances and guidelines on the use of credit cards. Simultaneously, the Auditor-General—and I need to get this

sequencing right—initiated her own reference and inquiry into credit card use by ACT government agencies.

My memory and recollection are that, yes, there were a number of irregularities in credit card use, but they were not remarkable and did not generate particularly adverse comments. I note and am aware that I do not recall the detail of the findings the member raised in his question. I certainly do not dispute that the Auditor-General identified a number of expenditures that were not consistent with guidelines. Nevertheless, my recollection—and I will have to go back to the report and check this—of the auditor's report is that all agencies had appropriate or adequate guidelines in place, that they were clear and well understood and that all agencies had in place satisfactory controls for credit card expenditure.

We need to understand and acknowledge the minute or minuscule part of an overall budget or agency expenditure that is involved in credit card use. The amounts that have been mentioned, I assume, were the worst-case issues, perhaps, of an inappropriate use of a credit card, at least in the first instance that the report revealed. We are talking here about a sum total of \$20,000 in an annual government spend of \$3 billion. The total credit card use was about \$3 million in a \$3 billion budget, or one per cent or 0.3 per cent—the old maths is not too great.

Let us put this in some perspective. We are talking of a total credit card spend of around \$3 million in a \$3 billion budget. The member, in his question, raises concerns about \$20,000 of that \$3 million in a \$3 billion budget.

That is not to say that these are not serious issues about guidelines which exist and should be observed. In large measure, they are. The guidelines are appropriate. They match the arrangements in place in all other jurisdictions. You will find the Auditor-General in that report—and I will have to go back to this and respond in more detail, as I have said I would—found essentially that processes were appropriate and that there were a range of checks and balances. You will find—and this is the unfairness of this form of question being raised in this way in this forum—that it does not then go to the next step. (*Time expired.*)

MR SESELJA: Chief Minister, why, when queried further by the *Canberra Times* about this expenditure, did you, instead of giving a detailed answer, respond with the bland generic statement, “There have been no cases of credit card fraud or misuse”?

MR STANHOPE: I think that goes to the heart of the issue. I must thank you for reminding me: I guess that is what I have been hinting at, but I did not have that level of recollection of the report or of the incident. If I can now accept what the member has suggested is what I said, that I gave the bland response that there were no cases of fraud or of malfeasance, it goes to the heart of this issue. You have devoted this question time to seeking to create or generate a scandal where none exists. There was some inappropriate, perhaps accidental, use of a credit card by senior ACT officials, a minuscule amount in the context of credit card use itself, which is a minuscule amount in the context of ACT government expenditure.

We are talking here about a few thousand dollars, none of which in the view of the auditor, if the member is to be believed, involved any suggestion of fraud or

malfeasance, and yet here we are devoting a whole question time to a campaign of fear, loathing and scandal involving ACT public servants concerning something which does not exist. I would imagine that if one were to go to each of the expenditures, to each of the examples, and I think it is perhaps appropriate now that our senior executives be afforded the opportunity of responding, one would find that they paid a bill at a hotel with a credit card and it included expenditure which, on sober reflection back in their office, they realised should not have been on their credit card, should have been on their personal card. In how many of these cases that you have just mentioned were the moneys not repaid—even before the Auditor-General actually issued the report?

I do not think that it is necessarily remarkable that in those circumstances, particularly where hospitality is involved, alcohol is purchased—purchased perhaps for personal use or purchased perhaps for the purposes of official entertainment. As I say, this is an issue that affects all organisations, not just governments. It is perhaps careless at one point. It is certainly regrettable, it is unfortunate and ultimately, of course, it is unacceptable, but I think that we are expecting a little bit too much. I am sure that in the fullness of time we will be debating in this place the use of credit cards by the Australian Hotels Association. That is a debate to come. We will be interested in the explanations that are actually offered or proffered in relation to that debate.

Mrs Dunne: I take a point of order. Mr Speaker, I draw your attention to the fact that that is the second time today that the Chief Minister has mentioned the matter of the AHA, which is a live matter before a tribunal in Australia, and your rulings on previous occasions that matters before courts are sub judice and should not be mentioned by members in this place. Mr Speaker, as recently as 28 February you made rulings about matters that were before the courts and could not be referred to by members in this place.

MR SPEAKER: I heard the reference this morning in the context of a debate which was occurring. My memory of it was that some sort of comparison was attempted, but it was as an aside rather than as a point of reference to matters before a court or tribunal and I do not think that it drew any conclusions about the matters which are before a court or tribunal, Mrs Dunne. Yes, I have made those rulings and I will seek to ensure that the Assembly does not interfere in any way with the consideration of these matters, but I cannot see how the comments that were made here today would do that.

Mrs Dunne: Mr Speaker, the Chief Minister knows that the matters that he referred to are matters that are currently before an industrial relations tribunal and that they are therefore matters of sub judice.

MR STANHOPE: On the point of order, Mr Speaker: I have no idea what is before the industrial relations tribunal. I must say that I have been urging Mr Mulcahy to let us know. Perhaps if Mr Mulcahy were to table the documentation in the report, we would be in position to better debate this issue, but I have no idea what is before the commission other than the scuttlebutt that I hear around the place, but none of us has a clue what is before the industrial relations commission, not a clue, except Mr Mulcahy and Mr Stefaniak.

MR SPEAKER: Order! The fact of the matter is that I have made rulings in the past about members taking care about attempting to influence matters which are before tribunals, in particular before the courts. All I can do is urge members to take care. I must admit that I was not drawn to intervening in either of the comments that you referred to, Mrs Dunne, because I thought they were merely asides, but I think that members still should take care about mentioning any of these sorts of issues because of the possibility that they might affect the outcomes. The minister's time has expired.

Public service—credit card use

MR PRATT: My question is to the Chief Minister. Information obtained by the *Canberra Times* from the Chief Minister's Department's credit card records for 2005-06 show that on at least two occasions substantial purchases were made by an officer of the department at Vintage Cellars. The details in the information made available indicate that employee E acquired goods costing, firstly, \$491.98 and, in the second purchase, \$405.82. Chief Minister, can you outline any guidelines that exist within your department that relate to the purchase of alcohol with ACT taxpayers' money?

MR STANHOPE: As I indicated earlier, the Auditor-General in her report acknowledged that ACT agencies had a range of policies in relation to credit card use that were deemed or considered by the Auditor-General to be appropriate. Indeed, I understand that the guidelines for credit card use that apply in the ACT are consistent with those that apply in every government around Australia.

Yes, we have guidelines in relation to credit card use. We also have policies in relation to official hospitality. I do not think you can say that there is no mention of alcohol or official hospitality in the credit card guidelines. They are around use and accountability and the need for public servants to be respectful of the use and utility of public funds.

There are official entertainment guidelines that apply throughout the ACT public service, the commonwealth public service—indeed, throughout every public service in Australia. As I understand it, they apply almost certainly throughout every major corporation that operates in Australia. Official entertainment, involving the supply of alcohol on formal occasions or as an incident of entertainment, is a matter of common use in the ACT public service and its agencies, the commonwealth, governments and major corporations.

I would imagine—I am not sure; I would need to check this—that all departments buy and store alcohol on a regular basis for formal functions, working lunches and entertainment. I go to functions all over town all the time, as do you. I have been at functions where I have seen each of you drinking alcohol which I am sure was purchased with an ACT public service credit card. I have seen you doing it.

Mr Smyth: Not me.

MR STANHOPE: Mr Smyth says, "Not me." The family man from the Tuggeranong Valley would not let a sip of ACT taxpayer purchased alcohol pass his

lips. Over the past 10 years, in my present position and previously, I have been to functions at which I have seen, I am sure, every member this place enjoying official hospitality, in the majority of cases involving alcohol.

This is the humbug and the hypocrisy of this confected campaign to create a scandal where one does not exist. I feel absolutely certain that the case just raised by the member in this question, which is designed to cast suspicion on the purchase of alcohol by a chief executive, was a purchase absolutely and entirely consistent with our entertainment and hospitality guidelines. Indeed, it is quite likely that the member asking the question actually benefited from the purchase at an official ACT government function.

I do hope he enjoyed that glass of wine that was purchased by an ACT credit card as part of the expression of hospitality at an ACT government function. This is something that all public services do. All territory-owned corporations do it. All corporations do it. This place does it. I regularly provide funds for the purchase of alcohol for functions in this place. I do it probably on a monthly basis. I have to say it is quite likely that the alcohol is purchased with a credit card.

MR PRATT: I have a supplementary question, Mr Speaker. Chief Minister, by close of business Thursday do you think you might be able to provide the details of employee E's \$491.98, first purchase, and \$405.82, second purchase—what was purchased, for what purpose and when it was consumed? Do you think you might be able to do that by the close of business Thursday, Chief Minister?

MR STANHOPE: I am more than happy to seek the details of each of these expenditures and I will provide that information to the Assembly, but I will do it, of course, at a time that is convenient and reasonable.

Mr Pratt: So you can't do it within 36 hours? Forty-eight hours? Fifty-five hours?

MR STANHOPE: I will determine my priorities and the priorities of my officials—

Mr Pratt: It's going to take you two days to cover it up, is it, Chief Minister?

MR STANHOPE: but I will certainly respond to the question and provide the information.

Mr Hargreaves: I raise a point of order, Mr Speaker. Mr Pratt has suggested that the Chief Minister would take some time to cover up. I ask you to ask him to withdraw that.

Mr Pratt: On the point of order, Mr Speaker: I asked a question. I didn't state that he would be covering up. I asked him: did he need 55 hours to perhaps cover up such a matter?

MR HARGREAVES: Mr Speaker, that was clearly heard. For the record it will be on the tape for *Hansard*. I ask you to ask him to withdraw it.

MR SPEAKER: I did not hear it and the record would not have heard it had it not been raised, I suppose.

Mr Hargreaves: Mr Speaker, my brother-in-law heard it—and he lives in Richardson! I ask you to get him to withdraw it.

MR SPEAKER: Order! If there was an imputation—

Mr Pratt: I've been on lurgy, Mr Speaker. I couldn't project that far.

MR SPEAKER: Mr Pratt, please stand up. If there was an imputation, would you withdraw it, please.

Mr Pratt: If there was an imputation, I shall withdraw.

Mr Hargreaves: There was. It's qualified, Mr Speaker.

Mr Pratt: Sit down, Mr Hargreaves. Without qualification, I gracefully withdraw.

Public service—credit card use

MRS DUNNE: My question without notice is to the Chief Minister. Chief Minister, on 23 February 2007, the *Canberra Times* made the point to your office that an executive from your department had dined out at taxpayers' expense almost every week during the 2005-06 financial year. Chief Minister, what action have you taken to ensure that when departmental executives dine out at taxpayers' expense the meetings produce a tangible benefit for the people of Canberra?

MR STANHOPE: As I said, credit card usage by ACT public officials is subject to a range of policies and procedures, all of which are public and which the Auditor-General determined to be generally appropriate. They are consistent with those of all other governments around Australia. My recollection of the report and the detail of it is that, apart from some minor issues or irregularities around the edge, credit card use by ACT public servants was appropriate—accepting that there were some irregularities that were regrettable and that have been drawn to the attention of the appropriate officers.

The question of how one determines this is an interesting one. If the public has a view that there is nothing to be gained by official hospitality, perhaps we could just serve a cup of tea. But, in the nature of business and the execution of business—with issues around communication, networking and the development of partnerships and collaborations—there is an accepted methodology that is pursued by governments at every level in Australia, that is pursued by every government statutory corporation that I know, and indeed that is pursued, embraced and adopted by every corporation that I know of any significance, size or level of success.

We as an organisation, wishing to be successful—and take advantage of every opportunity and make the partnerships, connections and collaborations that are part and parcel of a successful organisation—also participate in the provision of

entertainment and hospitality across the board. It is not just for the purpose of developing contacts or seeking to be more successful in the pursuit of governmental initiatives; it is part of our building of capital and sense of community. For instance, the vast majority of the hospitality which I approve is for the support of community organisations and community functions.

We could argue. We have this debate today. On a regular basis I provide funding for hospitality for community events. That is an appropriate use of taxpayer funds. It has never been suggested otherwise to me by a single one of those community groups.

For the last five years I have provided a reception for Australia's recipients of bravery awards. Every year I provide funding and alcohol to allow me to host the annual general meeting of the Australian Bravery Association. I think we use a credit card in order to purchase the alcohol for that particular function. Of course, the Liberal Party would prefer that I did not expend money to support a function of the Australian Bravery Association. Members of the Liberal Party would prefer to suggest in this place that the expenditure by my officials on their credit cards for the purchase of alcohol for the purpose of a function to support the Australian Bravery Association—Australians who have been awarded an honour for their bravery—is an inappropriate use of the credit card.

Mrs Dunne: I didn't say that.

MR STANHOPE: That is what they are suggesting. They would prefer that the ACT government did not host receptions for a vast raft of community organisations. This is the conclusion that one has to draw from this determination to create a scandal around purchases—particularly of alcohol; that was the subject of the last question I received in relation to this.

Mrs Dunne: Mr Speaker, I raise a point of order. This is about the present question and it is about lunch, not about alcohol.

MR STANHOPE: "There is a scandal here inherently; let us cast suspicion over this particular expenditure; let us not worry about what the facts are today; let's just cast the suspicion"—when the Auditor-General has actually found that there was nothing untoward in relation to these expenditures.

MR SPEAKER: Order! What is the point of order?

Mrs Dunne: My point of order is this: Mr Stanhope is answering Mr Pratt's previous question about alcohol guidelines. I am asking him about credit card use by senior executives for lunch every week.

MR SPEAKER: Chief Minister, come to the subject matter of the question.

MR STANHOPE: I was going to the point that the response is so subjective that it is impossible to say which particular hospitality or expenditure produced a quantifiable or objective response. I think it is a question without an answer.

MRS DUNNE: I have a supplementary question, Mr Speaker. Minister, why in your answer did you say that some of the credit card expenditure had been regrettable? Do you regret the almost weekly expenditure on lunch by a senior member of your department during the 2005-06 financial year?

MR STANHOPE: This requires a subjective assessment or response in relation to each. It is perhaps, as I say, a question ostensibly without an answer, being so subjective in its nature. One would have to go back and assess the nature of the meeting, the outcome, the topics discussed, what particular benefit accrued from a particular piece of hospitality, and I do not have the answers to those; but I think the response to the question is that we have credit card guidelines, which the Auditor-General believes to be appropriate, generally speaking. There were no suggestions of fraud or misfeasance in relation to any of these expenditures. Many of the expenditures over which you are casting suspicion I am sure have a very innocent and appropriate response. I have been asked to provide—

Mr Pratt: You can tell us on Thursday then.

MR STANHOPE: It may be, Mr Pratt, that I can provide them this afternoon. It is just that I do not know and I am not going to go giving undertakings—

Mr Pratt: Well, you've got till Thursday.

MR STANHOPE: Mr Pratt, I have as long as I need. It may be that I can answer the questions today; I just do not know, and I am not going to give you an undertaking to provide information by Thursday when I do not know what is required to actually develop. It may be that I can provide the detail of each of these expenditures this afternoon. Indeed, in the context of the very unfortunate besmirching of the reputations of the ACT government senior executives that is at the heart of this range of questions today, it would perhaps be best if I did seek to provide the details of these expenditures this afternoon so that we can at least go some way towards salvaging the reputations of ACT senior public servants that you, today, have indicated that you have no compunction about destroying. You have absolutely no compunction about destroying those reputations and it might be that all I can do in order to seek to rehabilitate, to the extent that I can, the reputations that you have tarnished so deliberately today will be to actually provide that information.

Public service—credit card use

MR SMYTH: My question is to the Chief Minister. Chief Minister, given the concerns raised by the *Canberra Times* in their questioning of expenditure by credit card in your department, within the Chief Minister's Department what process is required to justify or account for the benefit received from taxpayer-funded meals for departmental executives and personnel?

MR STANHOPE: As I have indicated, the ACT public service and its agencies do utilise credit cards consistent with policies and procedures that the Auditor-General found in her report to be adequate. In addition to that, of course, there are, I think, a range of perhaps finance directions relating to official expenditure, and they set the

boundaries and the parameters for the use of credit cards and expenditure under credit cards. These are guidelines that the Auditor-General found to be appropriate and adequate.

MR SMYTH: The Chief Minister obviously did not hear my question, because I asked about the processes, so the supplementary is: what actual action have you taken to address the issues raised by and to apply the recommendations made by the Auditor-General in her report on credit card use, hospitality and sponsorship within ACT government departments?

MR STANHOPE: As I indicated in answer to earlier questions, this is becoming incredibly repetitive, as is this wholesale assault on the reputation of ACT public servants without justification, and in a way it really is an indictment of this opposition's attitude to our public servants. The government has received the report. I have, as I have indicated on a number of occasions, sought assurances from my senior executives or chief executives in relation to credit card use and received the assurances that I believe appropriate.

Education—national testing

MS PORTER: My question, through you, Mr Speaker, is to the minister for education. Following the recent meeting of the education ministers in Darwin, can you update the Assembly on national testing?

MR BARR: I thank Ms Porter for one of the very few questions of some import on public policy in today's question time.

Mr Pratt: You cannot understand why.

MR SPEAKER: Mr Pratt, I warn you.

MR BARR: Thank you, Mr Speaker. This is one of the most important education issues facing all jurisdictions at this point in time. It was one of the major issues that were debated at the recent education ministers meeting in Darwin.

Unfortunately, the commonwealth has not approached this issue of national testing constructively. They have called on or legislated for states and territories to introduce a national testing regime. When it came to the detail of implementing this scheme, they neglected to address some very important issues. These tests are a massive undertaking, and the commonwealth government has manifestly failed to provide the necessary start-up funding for the testing and has not worked out how the data produced by the national testing should be handled.

Without sufficient safeguards in place, the privacy of ACT students and their results may well be affected by the proposals that the commonwealth is putting forward. For that reason, I and other state and territory education ministers were not prepared to support the commonwealth's proposals, as they did not protect the privacy of ACT students.

We have had to move on without the commonwealth. The states and territories have agreed to work together to ensure that a national assessment program is successfully implemented in 2008. The ACT has taken a lead role in this debate on national testing and will continue to do so. For example, the ACT chairs the recently formed steering committee on the national assessment program.

At the education ministers meeting, I presented a policy paper, *Testing times*, outlining the principles that should guide national testing. I also proposed the establishment of a national literacy and numeracy bank. Such a bank would make a variety of tests available to teachers online, which they could access at any time.

The bank would provide a number of benefits. Teachers could use the tests throughout the school year, not just during the annual testing period. Teachers could use the tests for a variety of year levels, not just years 3, 5, 7 and 9 that are part of the national testing approach. Teachers would be able to use the material from the bank to create their own tests. Tests could be tailored to meet the needs of individual classes and individual students.

These proposals were well received by other state and territory ministers and will continue to be developed as we work towards the implementation of a national testing scheme in 2008. We take the introduction of national testing very seriously and will always act to promote the interests of ACT students and their families in this process.

It is important to note that national testing will not single-handedly raise education standards. Properly implemented, national testing will help teachers target their programs to meet the individual needs of students. This is where the real benefit lies.

Parents rightly have expectations about what a testing system should deliver. They want and expect a meaningful report on the performance of their child or children and want to know how their child is travelling compared to ACT and national benchmarks.

The fundamental issue at stake was that the commonwealth government sought to receive a level of data down to an individual school level, with no protection on student or school privacy, and were seeking solely to publish league tables. Their endeavour was to seek to publish league tables that would compare the performance of students in individual schools in these national tests and pit individuals against individuals and pit individual schools against individual schools. That is not a constructive approach. If this national testing is to have any benefit, it needs to be applied at a local school level, working within state and territory jurisdictions to improve outcomes for students. It should not be about pitting school against school.

Unfortunately, when the states and territories refused the commonwealth access to this level of data, the Howard government walked away from national testing. I am hopeful that a future Rudd government will recognise the role that the commonwealth has to play and will work with the states and territories to properly resource a national testing regime and address the significant privacy issues that are in place.

It is interesting that during this large national debate on education over a range of issues—national testing, national curricula, common year 12 certificates, teacher performance pay, autonomy for principals and work force planning in the education system—those opposite were silent. I took the opportunity to privately raise this with members of the opposition, the opposition spokesperson and the Greens and then wrote to them seeking their views on some of these major issues, in the hope that there might be an ACT consensus on the need, for example, to protect our years 11 and 12 assessment system. (*Time expired.*)

Mr Stanhope: I ask that all further questions be placed on the notice paper.

Papers

Mr Speaker presented the following paper:

Travel report—non-executive members—Sixth Assembly, up to and including 31 March 2007.

Executive contracts

Papers and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): For the information of members, I present the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Contract variations:

Brett Phillips, dated 23 and 26 February 2007.
David Dutton, dated 9 and 20 March 2007.
Derek Jory, dated 29 and 30 March 2007.
Greg Kent, dated 23 February 2007.
Greg Williams, dated 29 March 2007.
Ian Waters, dated 2 April 2007.
Jeremy Lasek, dated 23 February 2007.
John Stanwell, dated 22 March 2007.
Jon Quiggin (2), dated 23 February and 29 March 2007.
Mark Kwiatkowski.
Martin Hehir, dated 7 February 2007.
Peter Walsh, dated 2 April 2007.
Phillip Joyce (2), dated 23 February and 29 March 2007.
Roslyn Hayes.

Long-term contracts:

Catherine Hudson, dated 16 March 2007.
Harriet Elvin, dated 13 March 2007.
Kay Austin, dated 29 March 2007.

Short-term contracts:

Adam Stankevicius.

Andrew Whale.
Conrad Barr, dated 16 March 2007.
Grant Carey-Ide, dated 5 March 2007.
Greg Kent, dated 16 and 20 March 2007.
Ian Hill, dated 28 and 30 March 2007.
Ian Thompson, dated 20 and 21 March 2007.
Jon Quiggin, dated 3 April 2007.
Linda Trompf, dated 5 March 2007.
Megan Smithies, dated 23 January 2007.
Meredith Whitten.
Michael Lai, dated 9 March 2007.
Philip Mitchell, dated 27 February 2007.
Rodney Power, dated 9 March 2007.
William Stone, dated 5 March 2007.

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

Leave granted.

MR STANHOPE: Mr Speaker, I have presented another set of executive contracts. These documents are tabled in accordance with sections 31A and 79 of the Public Sector Management Act, which require the tabling of all executive contracts and contract variations. Contracts were previously tabled on 13 March 2007. Today I have presented three long-term contracts, 15 short-term contracts and 16 contract variations. The details of the contracts will be circulated to members.

Ministerial appointments and administrative arrangements Papers and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): For the information of members, I present the following papers:

Australian Capital Territory (Self-Government) Ministerial Appointment 2007 (No 1)—Notifiable Instrument NI2007-107 (Special Gazette No S1, Wednesday, 18 April 2007).

Administrative Arrangements 2007 (No 1)—Notifiable Instrument NI2007-108, dated 17 April 2007.

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

Leave granted.

MR STANHOPE: Mr Speaker, for the information of members, I have tabled revised administrative arrangements which commenced on 18 April 2007 and which implemented the ministerial and other changes that I announced on 13 April. Two additional ministerial appointments have been created. As the environment, climate change, sustainability, catchment management, and greenhouse and energy and water policy are critical areas, I have assumed responsibility for the new environment, water and climate change portfolio. The other is the children and young people portfolio

allocated to Ms Katy Gallagher that emphasises the importance of these responsibilities, reflecting the significant role that was already being undertaken by her in these matters.

Mr Andrew Barr has been appointed Minister for Planning, thereby better providing for current and expected shifts in ministerial workloads. Among other key changes were the transfers of ageing and land development to my portfolio. This will allow for a whole-of-government approach to be taken on ageing in light of the impending increase in Canberra's ageing population, while the Land Development Agency change is in line with the affordable housing action plan.

To better unite and align policy strands, all areas of transport policy, strategy and delivery have been brought together in the Department of the Territory and Municipal Services and under the Minister for Transport, John Hargreaves. Also, to clarify ministerial reporting regarding ACT WorkCover that was transferred last year to the Office of Regulatory Services in the Department of Justice and Community Safety, policy responsibility has been retained by the Minister for Industrial Relations, while the Attorney-General now has regulatory responsibility.

Some other miscellaneous changes have been made to update the arrangements. These include transferring responsibility to the Treasurer for regulatory impact statements, and for publishing and records management that are part of the Shared Services Centre. The new arrangements have refined some of the changes made from 1 July 2006 in support of the 2006-07 budget.

Financial Management Act—instrument Paper and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): For the information of members, I present the following papers:

Financial Management Act—Pursuant to section 18A—Authorisation of Expenditure from the Treasurer's Advance to the Chief Minister's Department, including a statement of reasons, dated 28 March 2007.

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

Leave granted.

MR STANHOPE: As required by the Financial Management Act 1996, I have tabled an instrument issued under section 18A of the act. The direction and the statement of reasons for the above instrument must be tabled in the Assembly within three sitting days of being given. This instrument provides funding of \$77,490 to the Chief Minister's Department to meet rental payments to Dytin Pty Ltd for the period 1 April 2007 to 30 June 2007.

This is the final payment to Dytin Pty Ltd and, combined with the three previous TAs, totals \$275,284. Provision of this funding is consistent with the Narrabundah Long

Stay Caravan Park land swap agreement entered into by the government on 11 August 2006. I commend the instrument to the Assembly.

Government agreement—Actew Corporation Ltd Paper and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): For the information of members, I present the following paper:

Territory-owned Corporations Act, pursuant to subsection 16 (3)—Statement—
Government Agreement for Actew Corporation to establish a business presence
in Thailand.

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

Leave granted.

MR STANHOPE: As required under section 16 of the Territory-owned Corporations Act, I hereby present details of the government's consent for Actew Corporation Ltd to establish a business presence in Thailand. On 23 December 2006 the voting shareholders agreed that Actew could explore entry into the Thai market via the purchase of equity in an existing company and the creation of a new Thai company. The Actew investment is modest and carries relatively low risk.

Thailand is a suitable market for the Actew/ActewAGL/Ecwise group to expand into as part of a growth strategy within the framework of its current capabilities. The group will canvass new business opportunities in areas closely aligned to its core strengths, including water business, environmental services, waste water, gas and electricity. Actew views the successful establishment of business operations in Thailand as a vehicle for greater growth opportunities which, in turn, may provide further stable dividend streams to the government. I commend this statement to the Assembly.

Papers

Mr Corbell presented the following papers:

University of Canberra Act, pursuant to section 36—University of Canberra—
Annual Report 2006, including financial statements, dated April 2007.

Petition—Out of order

Revolve Ltd, tender process—Mr Berry—(3,723 signatures).

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Animal Welfare Act—Animal Welfare (Welfare of Cats in the ACT) Code of
Practice 2007—Disallowable Instrument DI2007-67 (LR, 28 March 2007).

Cultural Facilities Corporation Act—Cultural Facilities Corporation Appointment 2007 (No 1)—Disallowable Instrument DI2007-90 (LR, 19 April 2007).

Education Act—

Education (Government Schools Education Council) Appointment 2007 (No 1)—Disallowable Instrument DI2007-70 (LR, 22 March 2007).

Education (Non-government Schools Education Council) Appointment 2007 (No 1)—Disallowable Instrument DI2007-71 (LR, 22 March 2007).

Electoral Act—Electoral Commission (Chairperson and Member) Appointment 2007 (No 1)—Disallowable Instrument DI2007-68 (without explanatory statement) (LR, 20 March 2007).

Housing Assistance Public Rental Housing Assistance Program 2006 (No 2) and Housing Assistance Act—Housing Assistance (Public Rental Housing Assistance Program) Review Committee Appointment 2007 (No 1)—Disallowable Instrument DI2007-83 (LR, 5 April 2007).

Independent Competition and Regulatory Commission Act—

Independent Competition and Regulatory Commission (Price Direction for the Supply of Electricity to Franchise Customers) Terms of Reference Determination 2007 (No 1)—Disallowable Instrument DI2007-96 (LR, 19 April 2007).

Independent Competition and Regulatory Commission (Regulated Water and Sewerage Services) Terms of Reference Determination 2007—Disallowable Instrument DI2007-65 (LR, 9 March 2007).

Land (Planning and Environment) Act—Land (Planning and Environment) (Further Rural Lease Grant Conditions) Determination 2007 (No 1)—Disallowable Instrument DI2007-69 (LR, 22 March 2007).

Long Service Leave (Contract Cleaning Industry) Act and the Financial Management Act—

Long Service Leave (Contract Cleaning Industry) Board Appointment 2007 (No 1)—Disallowable Instrument DI2007-87 (LR, 16 April 2007).

Long Service Leave (Contract Cleaning Industry) Board Appointment 2007 (No 2)—Disallowable Instrument DI2007-88 (LR, 16 April 2007).

Long Service Leave (Contract Cleaning Industry) Board Appointment 2007 (No 3)—Disallowable Instrument DI2007-89 (LR, 16 April 2007).

Nature Conservation Act—

Nature Conservation (Threatened Ecological Communities and Species) Action Plan 2007 (No 1)—Disallowable Instrument DI2007-84 (LR, 12 April 2007).

Nature Conservation (Threatened Ecological Communities and Species) Action Plan 2007 (No 2)—Disallowable Instrument DI2007-85 (LR, 12 April 2007).

Public Place Names Act—Public Place Names (Duffy) Determination 2007 (No 1)—Disallowable Instrument DI2007-82 (LR, 5 April 2007).

Public Sector Management Act—

Public Sector Management Amendment Standards 2007 (No 1)—Disallowable Instrument DI2007-64 (LR, 9 March 2007).

Public Sector Management Amendment Standards 2007 (No 2)—Disallowable Instrument DI2007-91 (LR, 19 April 2007).

Public Sector Management Amendment Standards 2007 (No 3)—Disallowable Instrument DI2007-92 (LR, 19 April 2007).

Road Transport (Driver Licensing) Regulation—Road Transport (Driver Licensing) Driving Instruction Code of Practice 2007 (No 1)—Disallowable Instrument DI2007-81 (LR, 30 March 2007).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Exemption 2007 (No 1)—Disallowable Instrument DI2007-66 (LR, 16 March 2007).

Road Transport (Public Passenger Services) Regulation—Road Transport (Public Passenger Services) (Defined Rights Conditions) Determination 2007 (No 1)—Disallowable Instrument DI2007-86 (LR, 12 April 2007).

Tobacco Act—Tobacco (Compliance Testing Procedures) Approval 2007 (No 1)—Disallowable Instrument DI2007-80 (LR, 28 March 2007).

University of Canberra Act—

University of Canberra Council Appointment 2007 (No 1)—Disallowable Instrument DI2007-72 (LR, 22 March 2007).

University of Canberra Council Appointment 2007 (No 2)—Disallowable Instrument DI2007-73 (LR, 22 March 2007).

University of Canberra Council Appointment 2007 (No 3)—Disallowable Instrument DI2007-74 (LR, 22 March 2007).

University of Canberra Council Appointment 2007 (No 4)—Disallowable Instrument DI2007-75 (LR, 22 March 2007).

University of Canberra Council Appointment 2007 (No 5)—Disallowable Instrument DI2007-76 (LR, 22 March 2007).

University of Canberra Council Appointment 2007 (No 6)—Disallowable Instrument DI2007-77 (LR, 22 March 2007).

University of Canberra Council Appointment 2007 (No 7)—Disallowable Instrument DI2007-78 (LR, 22 March 2007).

University of Canberra Council Appointment 2007 (No 8)—Disallowable Instrument DI2007-79 (LR, 22 March 2007).

University of Canberra (Courses and Awards) Amendment Statute 2007—Disallowable Instrument DI2007-95 (LR, 19 April 2007).

University of Canberra Election of Staff Members of Council Statute 2007—Disallowable Instrument DI2007-94 (LR, 19 April 2007).

University of Canberra (Student Conduct) Amendment Statute 2007—Disallowable Instrument DI2007-93 (LR, 19 April 2007).

Unlawful Games Act—Unlawful Games Regulation 2007—Subordinate Law SL2007-5 (LR, 4 April 2007).

Future directions of social housing

Statement by minister

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs): I seek leave to make a statement concerning the future directions of social housing in the ACT.

Leave granted.

MR HARGREAVES: The Stanhope government recently announced the final tranche of wide-ranging reforms to social housing policy undertaken since 2005. Today I would like to give the background to these reforms and explain the motivation for them. This government recognises that it has a critical duty to target social housing at those members of the community who are most in need. Our dilemma, and the dilemma for governments and housing authorities across Australia, is how to manage the competing priorities for housing assistance in an extremely tight housing market.

There are many groups in our community requiring social housing, and they have very diverse needs. These groups include, for example, young people who are at risk of becoming homeless or are experiencing various forms of discrimination in the private housing market. They include older people whose housing needs may have changed. They include women and children experiencing domestic violence, people with disabilities and mental illness, and Aboriginal and Torres Strait Islanders with complex needs.

As we all know, some people have more choices in life than others. In the matter of housing, this government is particularly concerned about the latter. For historical reasons, there is no doubt that the ACT's public housing system has become inequitable. We had eligibility criteria that were much less rigorous than those of other Australian jurisdictions and this led to inflated waiting lists and increasingly false expectations. If we had not embarked on this course, many people would not be housed quickly—indeed, if at all—and the system worked against those in the community with priority needs, such as those that I have outlined. It was in this context that the government set out on a systematic reform process, underpinned by extensive consultation.

The views of social housing tenants, the housing sector and the broader community have been widely canvassed. During 2005, five ministerial housing forums were held on topics as varied as tenant participation, community housing, disability housing, joint venture partnerships in public housing, renewal and review, and complaint mechanisms in social housing. This process culminated in a major consumer forum and housing summit held in February 2006, attended by more than 250 people. As you would expect of such a forum, a wide variety of perspectives were shared and solutions offered.

Another important input to our deliberations was the ACT Auditor-General's performance audit report into public housing, completed in May last year. It made recommendations on housing eligibility and allocation and on priority assessment processes, as well as on the effective use of housing stock.

The reform measures that have followed this long period of consultation have fundamentally redefined the territory's approach to the provision of social housing. The latest changes to public housing, announced on 20 April this year, further assist our endeavour to house people most in need at the earliest opportunity.

The reforms have not been about disadvantaging existing tenants. Most tenants will not be affected or notice any change, but we have to recognise that tenants' circumstances change over time. We also have to recognise that in the ACT it is likely that some public housing tenants now have gross incomes far in excess of the entry criteria for public housing. For a family of two, the income barrier is set at about \$31,000 per annum.

The government has announced that it will assist tenants on sustainable incomes of more than \$80,000 per annum, calculated over two consecutive years, to move to home ownership or private rental. We will also expand the sale to tenant program that allows tenants to purchase their home. There have been many Canberrans that have

taken advantage of that scheme to achieve what used to be known as the Australian dream, that is, to own your own home. Tenants on a sustainable income of \$80,000 or more are well able to take advantage of this scheme.

We will also introduce a shared equity scheme that will allow tenants to purchase a share of their home in partnership with the government and to share any increase in the value of the property. However, if these high-income tenants do not wish to join these schemes, they will not be simply cut loose. Housing ACT will work closely with them to ensure that their needs are fully understood, acknowledging that for some tenants such a move might not, for a variety of reasons, be appropriate.

To show that a tenant has a sustainable income of more than \$80,000 will take two years, that is, they must sustain that level of income for two years. Then, if they clearly have the capacity to purchase a property or rent in the private market, they will be given a further 12 months to explore these options. Housing ACT will also work with households which have incomes of less than \$80,000 but more than \$50,000 to encourage them to consider home ownership, including through the shared equity opportunities.

The other major reform I announced last month relates to public housing tenants who have more bedrooms than they require. Under the new arrangements, these tenants will be assisted into suitable alternative public housing. This will be a phased process over a number of years, with a focus on tenants with two or more bedrooms than required. This process, too, will include a careful consideration of tenants' circumstances, including the length of time in the current home, their age, their family circumstances including part-time child custody arrangements, their ongoing housing and support needs, and the availability of acceptable alternative public housing accommodation.

The development of guidelines for the implementation of these changes will involve broad consultation with tenants and tenant organisations such as the Joint Champions Group, as well as with the wider housing sector. It is obvious that these changes will not be implemented quickly, particularly as our objective is to implement these changes in a manner that is transparent and, above all, fair.

Following the revision of the eligibility criteria for public housing, there has been a number of positive developments to assist our objective. Under the new system, priority applicants have been housed, on average, within 57 days, compared with an average waiting time of nine months under the previous system. In March this year, there were just 1,018 needy people waiting for public housing, compared with more than 3,000 in June 2005 and 2,500 in June 2006. Housing ACT expects to house 900 new tenants this financial year.

In conclusion, I should also mention a supporting and complementary initiative that this government has introduced. In April we announced an expansion of community housing in the territory to increase the supply of affordable rental properties and dwellings in the ACT. Community housing is a small but important element of the social housing mix, meeting important social needs and providing critical support to people experiencing housing stress.

The expansion of community housing will see Community Housing Canberra, CHC, become a major provider of affordable housing in the ACT. It is a not-for-profit company that operates both as a community housing asset manager and as a provider of affordable housing. The government is providing Community Housing Canberra with an injection of equity of \$40 million through the final transfer of title of 135 properties, already under CHC's control, which the company will leverage to increase the amount of available affordable housing.

The ACT government will also provide CHC with land at market prices, a revolving \$50 million loan facility at government borrowing rates, \$3.2 million in capital and a \$250,000 annual capital subsidy for three years. In return, CHC will develop an additional 500 affordable dwellings over the next five years, increasing to more than 1,100 over the next 10 years. CHC will also offer a shared equity program to eligible tenants.

The reforms I have outlined today will greatly assist Canberrans who are most in need of housing support and I commend them to the Assembly.

MRS BURKE (Molonglo): I seek leave to make a statement, Mr Speaker.

Leave granted.

MRS BURKE: I thank the minister for permitting me to stand today as I want to make sure that this item will not be hanging around on the notice paper and we will get the program moving forward. Overall, my comments on what the government is doing will be positive, simply because much of it is Liberal policy. That has to be said because I think that this is what the public want. They want to see the Assembly, as in all of the 17 members, whether they be in government or in opposition, actually working together. I think that it is a positive that the minister, since assuming the portfolio from the former minister, Bill Wood, is carrying on some of the good work that Mr Wood began.

I understand the minister's dilemma in saying that there are competing priorities and diverse needs. I think he is saying that the housing forums and consultations that have been held since 2005 have probably answered some of ACTCOSS's concerns regarding lack of consultation. Maybe the minister can clear that one up with ACTCOSS. I have to say though, and I am not kicking the minister, that we have been waiting a long time to see something come about and happen. I understand that things cannot happen overnight. We do welcome these long-awaited measures. The system has been inequitable for quite some time. It is outdated, outmoded, and it really is very pleasing to see these changes being made at long last.

I have to make a comment on the waiting lists. I think the changes target those still in need and at the wrong end of the scale but, hopefully, the system will work itself out. The minister alluded to the waiting list turnover and the time in which people are being housed and so forth. I do remain concerned, minister, about the number of people who were removed from the list due to the changes to the eligibility criteria. I am just not sure what has happened to those people.

The Auditor-General's report did give the government something to work on. I hope that we will continue to see changes being made there and that the government will really keep pace with that report and make sure that all those things the Auditor-General raised are addressed. As I said, the minister pointed out some very good things, ones with which we agree. In fact, the Leader of the Opposition pointed out that having an equity scheme was actually raised by a Liberal government. That was before my time, minister, but it is still a good idea. I think it shows that the system needs fluidity, words that I have used for quite some time. We have to have entry points and exit points. With what the minister has proposed, we will see that at last, which is good.

As to the \$80,000-plus joint income, those people should be in a position to move through the system and therefore free up properties, which the minister has alluded to and which we welcome. I am interested in the reference to sustaining that level of income for two years, because it was argued—I am not sure whether it was by this minister, the previous minister or the Greens—that this would cause a problem as it would be a disincentive almost for people to improve their income levels. I am hoping that will not be so. I am hoping that people out there are much smarter than that.

We will see a sorting out of the system regarding people occupying properties that do not suit their needs. That is going to work both ways, which is really good. We have elderly people in properties of three and four bedrooms that they do not need who cannot be moved under the current regime. What the government is proposing is adequate and common sense. In the same way, we have young people occupying properties that they do not need and we have young families squashed into small properties. We do welcome that change. I also welcome the broad consultation, the continuing consultation, which must occur. Given that the changes will not be implemented quickly, perhaps a sign that this government has taken seriously what it has heard, let us hope that it is not going to be years and years before we see a proper and more robust public and social housing system.

I take on board the comments about community housing in Canberra. I have noticed that the TV ads talk about a range of options for community housing. I am just not sure, minister, whether you mean one organisation is going to be doing the whole lot or whether you are going to consider something like the UK system.

Mr Hargreaves: Erk!

MRS BURKE: Hang on. I do not know whether, under the constraints of the commonwealth-states housing agreement, you have enough flexibility. I will not say more than that. Thank you, minister. The changes have been a long time coming, but have been well received by the opposition.

Government accountability—use of funds

Discussion of matter of public importance

MR SPEAKER: I have received letters from Mrs Burke, Mrs Dunne, Dr Foskey, Mr Gentleman, Ms MacDonald, Mr Mulcahy, Ms Porter, Mr Pratt, Mr Seselja, Mr Smyth and Mr Stefaniak proposing that matters of public importance be submitted

to the Assembly for discussion. In accordance with standing order 79 I have determined that the matter proposed by Mrs Burke be submitted to the Assembly, namely:

Accountability over the use of funds by the ACT government.

MRS BURKE (Molonglo) (4.16): I ask for members' indulgence under standing order 43. It has been a long day.

Leave granted.

MRS BURKE: Mr Speaker, today the matter of public importance concerns the accountability of the ACT government over the use of funds. One of the most precious principles of a democracy is the way in which the elected government is accountable to the electorate for its actions. This applies particularly to the way in which the elected government deals with the funds that are collected from the electorate, from the community, through taxes and other mechanisms. It is hard to think of anything that tarnishes the stature of a government more than to have issues raised about the way in which public funds are being used or otherwise. Everyone can relate to questions about proper use of funds, by virtue of the fact that we all have dealings with our own funds in our households, in businesses and in other organisations. It is with this brief background that we have this matter of public importance before us today.

I first want to place this matter in some context. The best place to start to establish this context is with the comments made by the then Leader of the Opposition, interestingly Mr Jon Stanhope, in March 2001, in a speech he gave on "a code of good government". In this speech Mr Stanhope placed considerable emphasis on the importance of governments being accountable. Mr Stanhope set out a number of values that he saw as important in underpinning sound public governance, values that he described as "simple and long held". Listed amongst these was "accountability".

Appropriate accountability must be at the core of the way in which governments do their business; that goes without saying. Governments build confidence through the way in which they manage public funds. Governments do not have any money of their own other than what is given to them by the public, so it makes sense that accountability—a high level of accountability—is required and needed. Equally, of course, they can destroy that confidence through having questions raised about approaches to accountability.

Of course, issues relating to accountability may not involve large amounts of funds. Nevertheless, I would like to turn first to the spending by governments on public works projects. Spending on capital works projects comprises a major portion of the ACT government's expenditure each year. In 2006-07, for example, the budget papers show that \$337 million was estimated to be spent on new and ongoing capital works projects. This really brings into question why we should be accountable, why we should see the on-working, out-working of these funds, why we should see reports, why we should see the figures, why we should see what is happening. These projects range from major works, such as the new prison, to myriad minor projects spread across the community.

But what do we know about the expenditure of these funds this year? What do we know about the progress of these many capital works projects? Nothing. That is what we know: nothing. A government that came to office on a strong platform of being accountable has now failed miserably in this significant area of spending of public funds. It quite beggars belief that we have a Chief Minister who in opposition prided himself on accountability. Now, with the boot on the other foot, it does not apply.

On 14 February 2006 the former ACT Treasurer Mr Quinlan tabled in this place the 2005-06 capital works program progress report for the December quarter. This was the latest of a regular report that had been presented to the Assembly, providing details of progress with all capital works projects being planned or undertaken across the territory. But, unfortunately, we were not to know at that stage that this would be the last of these reports to be tabled in this Assembly, it would appear. We have now found out that the Stanhope government does not think that the information in those reports is useful for the community.

I draw members' attention to a *Canberra Times* article on 18 April in which Treasury said that it "doesn't think the information is useful", that the reports were "neither required by legislation nor useful outside the bureaucracy" and that the reports "were not user-friendly to the public". We have heard today the Chief Minister say that. And why? Because they were "largely comprised of complex spreadsheets" and "determined ... to more appropriately be used internally within government".

Let us not forget that it was the opposition health spokesman, Brendan Smyth, who first drew attention to the missing reports, really knocking on the head what the Chief Minister said today—that we have never asked anything before. Of course, the shadow health minister is not able to check whether the health minister, Katy Gallagher, is actually fulfilling her budget promises.

Ms Gallagher: He can ask me.

MRS BURKE: Well, he could and he does often—

Ms Gallagher: He could write to me.

MRS BURKE: He does often, minister.

Ms Gallagher: No, he doesn't; he puts out a media release.

MRS BURKE: No, he does often. It is extraordinary that the Chief Minister said today that they were complex spreadsheets. I would say this is a rather feeble attempt to hide expenditure or to hide giving the facts to people. This is a government that came to office propounding, amongst other values, the value of accountability. Now it is telling the community, basically, what information the government thinks they need. The Chief Minister's remarks, I would have to say, imply that the well-educated Canberra community more or less do not have the intelligence to read a spreadsheet.

Opposition parties also rely on information being released by government, to assist them to scrutinise governments and to call them to account. That is what oppositions

are here for. That is what this government, when in opposition, did when the Liberal Party were in government; that is how it works. For our part, as the opposition we have relied on these reports to provide us with a detailed insight into a significant component of public spending in the territory—\$337 million. We need to be the check and balance to ensure that the openness and accountability that the Stanhope government boldly proclaimed it stood for before the 2004 election is fulfilled.

The Stanhope government have a duty to the people of the ACT to restore the provision of these quarterly capital works reports. We hope today, through this debate, that they will sincerely think about that. Otherwise, it looks like you are trying to hide something—definitely. This will enable the community, not just the opposition, to scrutinise the performance of the Stanhope government in this important area of public spending and to hold this government accountable for their performance.

Let us turn now to some matters that involve what are quite small amounts of public funds that we have heard about today. First, let us take a brief trip back 25 years to 1982. Some members and others present today—not me, of course—will remember two ministers in the Fraser government resigning over the importation of a black-and-white television set. John Moore and Michael MacKellar both resigned in 1982, when Mr MacKellar failed to pay customs duty on this television set—a matter involving only a few hundred dollars at most.

In the context of the ACT government, we have become aware of a number of issues in recent times over the use of credit cards by the ACT government. Typically, again these involve quite small amounts of funds. Nevertheless, nothing abstracts from the basic principle of governments remaining accountable for the use of public funds. We are aware, for example, that an ACT government credit card has been used to spend \$185 at Strandbags. What benefit did this expenditure provide to the people of Canberra? We are aware that an ACT government credit card has been used to withdraw, as a cash advance, \$1,670. Why did an ACT government employee have to get a cash advance? How did this expenditure benefit the people of Canberra? We are aware that an ACT government credit card apparently has been used to fund an ACT government executive dining out almost every week during the 2005-06 financial year. Surely the community has a right to know how it benefited from that. If we keep this open and accountable thing going, then there is nothing to hide, surely. What did they receive from the spending?

In a somewhat different league is the revelation that the ACT government, or specifically the Minister for Territory and Municipal Services, Mr Hargreaves, agreed that \$72,000 of public funds would be spent on a statue of a former minister of the Whitlam government, Al Grassby. My colleagues will perhaps deal in more detail with this extraordinary decision by the Stanhope government on the use of government funds.

So when was the last quarterly report? Let us go back there. It was December 2005! A Treasury spokesperson—of course, unfortunately, we did not hear this from the Treasurer—said in the *Canberra Times* on 18 April that the reports were neither required by legislation nor useful outside the bureaucracy. Who are they to decide this? The Canberra community have a right to know. They have a right to see the figures.

In closing, it is of serious concern that we now have a government that no longer issues what would be deemed regular financial update reporting. Why? Because the ACT Treasury do not believe the information to be of any use.

I commend this MPI to the Assembly today. I ask the government to reconsider their position on these reports. It does look suspicious—it looks a bit shady—and I am sure that it is not the image that they want to portray.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (4.27): I thank the member for raising this important matter of public importance today. Accountability for the use of public funds is a central tenet of our democratic system of government. While it is important that the executive arm of government is able to implement its policies and make decisions, it is equally important that it is accountable to the people for the use of public moneys.

I think it is fair to say that improvement in accountability and transparency in Australia, and more broadly in the Western world, is an ongoing process that has been going on now for well over 100 years. In Australia these principles have been at the forefront of administrative law reform. It is also fair to say that in its brief history since self-government the ACT has often led other jurisdictions in improving accountability and transparency to the Assembly and to the general community.

My government takes the question of accountability very seriously. It is not just an esoteric principle; it goes to the heart of having a functioning democracy. It goes to the heart of giving confidence to the community in their system of government and in the decisions their elective representatives make. We have introduced substantial reforms, since coming into government, to enhance accountability. Before coming to those, for the benefit of members it would be helpful if I outline some of the key elements of the accountability framework in the ACT.

Members would be well aware that the ACT operates under an appropriation framework similar to other jurisdictions. All expenditures of public moneys are to be subject to an appropriation. This is the overarching control of the Legislative Assembly on the expenditure of public moneys. The Financial Management Act 1996 supports this framework and regulates the conduct of government and its instrumentalities.

What is important to note is that the act requires specification of outputs as well as inputs relating to appropriations; production of a range of accountability documents, notable amongst which are the budget papers and the annual reports; audited financial statements of government agencies and the overall territory accounts by the Auditor-General; and regular reporting by the Legislative Assembly on outputs and financial performance. A range of regulations and administrative procedures ensure accountability at the operational level for the public sector. Members will be well aware that such procedures are subject to independent review by the Auditor-General.

Treasury continues to provide the most comprehensive quarterly reporting of any jurisdiction in Australia. The quarterly report provides the community with an analysis of the year-to-date net operating balance and financial position for the general government sector. The highlights section of the report provides the reader with an easy reference for the major events in the quarter and the context surrounding the territory's year-to-date performance. The quarterly report also contains specific analysis of the year-to-date performance of the government in managing the territory's single largest liability—superannuation, an area of keen interest to the community. There is also a breakdown of the year-to-date performance for each agency.

In summary, the financial management and accountability framework in the territory is robust and sound. As I mentioned earlier, it is an important matter and the government has made a range of improvements in the legislative and administrative arrangements to further improve accountability. Since my government was elected, a number of amendments have been made to the Financial Management Act to ensure it remains strong and effective in regulating the conduct of the territory's fiscal operations. The amendments reflect the continuing need to pursue optimal procedural and legislative standards.

Currently before the Assembly is a bill to allow the effective administration of the cash management framework as announced in 2006-07 budget. As part of the 2006-07 budget, the government announced that cash management across ACT government agencies would be reformed to strengthen transparency and accountability and to ensure that cash balances are used more effectively.

In August 2005 the government introduced extensive changes to the FMA, standardising the governance requirements for most territory authorities. The legislative changes were aimed at clarifying the roles and responsibilities of the board of management and the chief executive officer, specifying the process of board appointments, providing clear guidance for addressing conflicts of interest and disclosures, requiring territory authorities to operate in a manner consistent with government policies, and specifying improved financial planning and reporting requirements.

The amendments passed in 2005 also incorporated substantial changes to enhance departmental financial and performance reporting arrangements. These include the incorporation of strategic indicators for government departments, in addition to the usual accountability indicators. The FMA provisions on the Treasurer's advance were strengthened in 2004 to restrict use of the Treasurer's advance to urgent expenditure, clarify the term "expenditure" and improve the timeliness for reporting Treasurer's advance approvals.

In 2003 the government introduced substantial changes to the FMA in relation to territory budget reporting. The amendments introduced the requirement for the territory budget to be prepared taking into account the principles of responsible fiscal management, the object of providing a basis for sustainable social and economic services and infrastructure fairly to all residents, and the object of ecologically sustainable development. The amendments also introduced the requirement for the

government to prepare a midyear budget review and a pre-election update in an election year.

Further 2003 amendments strengthened the investment provisions so that investments can only be made to increase or protect the financial wealth of the territory. The amendments also clarified the administrative arrangements for territory investments.

In the government's first year of office in 2002 the government strengthened the provisions relating to the audit of financial statements requiring chief executives to sign a statement of responsibility and clarifying the timing for the provision of the statements to the audit office.

Mr Speaker, my government has adopted GFS as the primary standard in budgeting and reporting to ensure that the ACT community is provided with the clearest possible picture of the financial position of the territory. The removal of the influence of windfall revenues ensures that the government stands accountable to its financial objectives and measures on a regular and timely basis.

In keeping also with the government's commitment to integrity in government processes and improved accountability, substantive improvements were made to the Territory-Owned Corporations Act 1990. The amendments passed in August 2004 provided further governance and accountability arrangements, including clarifying the information that the voting shareholders may require; requiring the voting shareholders to be kept informed of significant events affecting the value or performance of a territory-owned corporation; requiring voting shareholder approval and disclosure to the Assembly of major new undertakings or significant changes to a partnership, trust or unincorporated joint venture; and provisions requiring an audit committee to be established by each territory-owned corporation. These changes have served to improve and strengthen the governance and accountability arrangements for territory-owned corporations.

These are but a few examples of the reforms that the government has introduced to improve management and accountability across the public sector. It does need, however, to be said in addition, in response again to the issue of capital works quarterly progress reports, which was raised again by the member proposing this matter of public importance in her address, that the provision of public capital works reports is not a legislative requirement. The government has not, as I said earlier today, tabled a quarterly capital works report in the Assembly for five quarters.

It is interesting, of course, that it has taken the Liberal Party in this place 18 months to raise this objection today. It has taken 18 months for the Liberal Party to raise their confected concern—18 months. It is a reflection on the fact that they are asleep at the wheel—something, of course, that we and the people of Canberra know. It is reflected, of course, through issues such as this. Here we are, 18 months after a quarterly report was no longer tabled as part of the government's processes, and the Liberal Party suddenly wake and think, "Oh, goodness me, we haven't seen that quarterly report. We have had all these other opportunities, though, if we could have been bothered, but, of course, that would require us to do some work." Heaven forbid that the Liberal Party in this place ever did some work! But, having not had this particular report for 18 months, suddenly some bright spark within the organisation suddenly realised,

“Look, we haven’t missed it for 18 months, but here’s a little story that we can run. Here’s a little issue around government reporting that perhaps we can get a little run out for a day, because we have no other ideas; we have no policy and no other ideas.” After 18 months they suddenly realised that the report, which essentially is constructed for internal operating purposes, is no longer made publicly available.

There are, as I have just indicated, a raft of other accountability measures and opportunities, for a Liberal Party that could be bothered to work, to pursue in relation to a capacity to assess progress in relation to the delivery of capital works. The quarterly capital works format was, as I said earlier, part of a review of budget related requirements and, as I said earlier, it was decided that the reports were not particularly user friendly. It was an allocation of resources that it was felt might better be utilised by the government to focus on the priorities of delivering services and capital works projects and programs, rather than this focus on a quarterly report.

Mr Mulcahy: Snuck it through and thought you could get away with it.

MR STANHOPE: Snuck it through! The shadow Treasurer says we “snuck it through”. It took him 18 months to notice that it had been “snuck through”. Where was he—missing in action for 18 months and then it was “snuck through” 18 months ago? That is how important it was to the shadow Treasurer. That is how important it was to the Liberal Party: it took them 18 months to notice. It took 18 months to notice that it was not there. That is how important it was—18 months. You can see the light going off in his head—flash, bang! “Oh, goodness me, it’s 18 months now, and I didn’t notice.” I wonder what he was doing in the 18 months that caused him perhaps not to notice how important and how vital these reports were.

The opposition had not missed them for 18 months but all of a sudden they are a vital accountability measure. They had not missed them for 18 months and then all of a sudden they are absolutely vital to the accountability and transparency of government administration within the territory. What a load of humbug—confected humbug! They had not noticed that the report had not been around for 18 months, but all of a sudden it is a vital measure of a government’s preparedness to be accountable and transparent. They were completely irrelevant for the last 18 months, until all of a sudden somebody gets up one day in a new sitting week and thinks, “Oh, goodness me, we have got no policies that we can talk about—absolutely none. We have actually promised to spend somewhere in the order of a couple of hundred million dollars we don’t have and we’ve agreed to cut up to \$200 million of taxes and charges, but we want to keep the community’s attention away from that for a little bit longer—that in government we’ll have no money to provide capital works ourselves because we’re actually abolishing the fire levy and we’re abolishing a whole range of other taxes. We refuse to collect the water abstraction charge. We’re going to cut the payroll tax”—according to Mr Mulcahy, a bad and wicked tax—“we’re going to do away with stamp duty.”

We see today that the Liberals are going to go ahead with the ecobank—\$100 million for 10,000 houses in the ACT. We have got 130,000 houses—an open-ended banking facility is at the heart of the Liberal Party’s new-found commitment to climate change. Mr Mulcahy resurrects a totally discredited policy of Mrs Dunne’s in this place when she promised at the last election hundreds of millions of dollars of expenditure

through the creation of a bank and a loan facility to the residents of the ACT. It would cost, on the Liberal Party's own costings, \$100 million of open-ended loans. You would have to create a bank. Mr Mulcahy is going to go into the business of banking, if he ever becomes Treasurer, in order to provide \$10,000 loans to 10,000 houses at just an up-front cost in terms of the loan facility of \$100 million, let alone the cost of actually managing this bank and administering the 10,000 loans that will be delivered through this particular facility. And he thinks the people are going to take him seriously as Treasurer. What a ripper!

Mr Mulcahy: They do.

MR STANHOPE: You are just going to leave it at 10,000 houses, are you? There are 130,000; what about the other 120,000? Are you going to go to a billion dollars to meet the needs of every household under this bright policy that you are now championing? I must say that Mr Mulcahy likes to dine out on the fact that if he gets the reins he will be a responsible economic manager. Mr Mulcahy cannot resist, though; he is out there slashing taxes and charges all over the place. He has now promised to resurrect a bank proposal, which was completely discredited at the last election. I cannot believe that he has resurrected it; that it is alive and well and will be implemented by a Liberal government in which Mr Mulcahy is Treasurer—heaven forbid.

An open-ended loan facility, at a minimum cost of \$100 million to start off, to kick off—a hundred million bucks—is what Mr Mulcahy has said he will champion as Treasurer in relation to an open-ended loan facility to deal with issues around greenhouse gas emissions. Let me tell you, Mr Mulcahy: I know you have not got your hands on the levers and you have not seen the books. But we cannot afford to establish a bank. We cannot afford a \$100 million loan facility. Your colleagues tried it before you got here and were thrashed soundly—and with policies like that you will be again. It is an absolute nonsense. I think that is the last hurrah in relation to any attempt that you might make to create or sell the fact that you would be a responsible economic manager—because you quite clearly would not be.

We have seen in the context of this debate, too, an incredibly grimy attack on ACT public servants through question time today and, of course, intended to be leveraged here today in this matter of public importance. (*Time expired.*)

DR FOSKEY (Molonglo) (4.42): I want to take the opportunity to say a few things. My concerns are somewhat different from Mrs Burke's, but they are also on the general topic of accountability. Time passes quickly in this place and things are forgotten so it is sometimes worth going back and having a look at the record and checking out whether one ever did get satisfactory responses to questions asked.

On 7 February this year, I wrote to the Chief Minister outlining my concerns about the manner in which the ACT government had provided a one-off grant of \$300,000 to Summernats without a formal contract or funding requirements. A number of constituents had contacted me, including members of community organisations that were facing very straitened circumstances, who had no idea that if you wrote a letter to the Chief Minister or the Treasurer, they might get a grant of \$300,000. So I followed this up.

I would like to know how it can be that the ACT government can give funding to an event that we know often includes antisocial behaviour, which I know the government does not approve of, without requiring taxpayers' funds to be accounted for. How can it be that ACT government funding was provided without the standard requirement that any unexpended funds will be delivered back to the ACT?

I did ask the Chief Minister or the Treasurer—whichever hat he was wearing—whether there was a requirement for an acquittal of the funds. Apparently there was not. Consequently, there is no way of telling whether there are any unexpended funds and consequently they could not be called back. We still do not know whether those funds were actually pocketed as profit because Summernats is a profit-making venture.

I would like to know what makes Summernats so special that it was not obliged to adhere to the same funding requirements as any other event or program. In his reply to my letter, the Chief Minister noted that Mr Chic Henry, who is the director of Summernats, had originally requested that the ACT government supplement the cost of hiring the EPIC venue, but the Chief Minister declined as he felt that this approach lacked transparency. Rather, the Chief Minister chose to provide the funding through a Treasurer's advance to general Summernats activities as then the funding could be tabled in the Assembly. I think that if the aim was transparency it would have been better to tie the funding to something specific against which the grant could have been acquitted.

I had also asked the Chief Minister in my first letter if a copy of the acquittal of \$300,000 could be provided to me. His response was that as there were no specific conditions placed on the funding there could not be a formal acquittal of funds. I am not aware of there being anything to prevent the Chief Minister from having a contract drawn up, even if the money was provided through a Treasurer's advance. It would concern me, in fact, if a Treasurer's advance was a way of giving a handout to organisations that, for some reason or other, achieve favour in the Treasurer's eye.

If grants are going to be made available to, in this case, a recreation activity or to a sports event or to a community service organisation, they should be advertised, with a set of criteria published against which those applications can be assessed. All groups that fit into the category should be notified that such grants exist.

My feeling is that Summernats is now seen as an important institution. The Greens acknowledge that as much as anyone, though we see some problems with the event. It has become an annual part of our events cycle in a quiet time of the year, but how does that entitle it to receive \$300,000 last year? We do not know what is going to happen this year. At what point does the government say, "This event constantly requires a drip in the arm and we cannot do that any more"? So there is an issue of accountability about that event, and I am still bemused as to how \$300,000 could be expended without an acquittal.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (4.48): It is no wonder there are problems with accountability for the use of funds by the ACT government when the Chief Minister cannot even add two and two without getting something like 35 and a half. That is what he did today in an amazing statement in reply to

Mr Mulcahy, who politely pointed out to him that Mr Rudd had brought in a policy which is virtually identical to one that Mrs Dunne brought in in 2004. The Chief Minister pooh-poohed that policy then. Now we wonder whether he supports it or not.

I do not recall Mr Mulcahy saying anything remotely like the Chief Minister's assertion that the ACT Liberals are adopting that as a policy. It is a case of give him an inch and he will take a mile. He has great difficulty adding two and two without getting some amazing figure which certainly is not four. He never fails to amuse me with his statements about our so-called promises and how much money they are supposedly costing. My figures are completely different from his and, I would submit, a lot more accurate.

On taking the role of Treasurer last year, the Chief Minister said in a media release issued on 18 April that his new administrative arrangements would "maximise accountability and ensure greater rigour". I think the government has failed on both counts.

Where is the accountability and rigour? The Stanhope Labor government has wasted the hard-won surplus the previous Liberal government left in the bank when the Stanhope government came to office. The Stanhope Labor government bleats that the cost of providing services is increasing and responds not by creating efficiencies or cost savings but by actually putting on more public servants and putting up taxes and charges. Indeed, in April last year the Chief Minister seemed surprised when he found out there were 2,500 extra public servants and he could not really account for that. That is pretty basic.

Where is the accountability and rigour when the Stanhope government takes the credit for a booming ACT economy when it is actually the Howard Liberal government's economic management that has delivered that booming economy, not only in the ACT, but Australia wide? Where is the accountability and rigour when the Stanhope Labor government closes schools without so much as a whisper to those in our community who will be affected? Where is the accountability and the rigour when the government slashes business services? It is business that employs people and develops innovative products and services that put Canberra into the world business arena.

Where is the accountability and rigour when the Stanhope Labor government stops issuing capital works reports because a bureaucrat says they are not useful? The general public, and certainly members of this Assembly, found them a useful way of ensuring accountability and holding a government to account. Where is the accountability and the rigour when the Stanhope government wastes \$72,000 on a statue no-one, except one or two people, like Mr Hargreaves, actually wants? The government spent \$72,000 on poor old Al Grassby's statue. On that one even the Chief Minister is getting cold feet about whether he wants it or not. Where is the accountability and rigour when the Stanhope government cannot provide answers to simple questions on expenditure?

These are only some of the examples of this government's failure to abide by its own principles of accountability and rigour, as outlined by my colleague Mrs Burke. They

also represent examples of this government's long list of wrong priorities. There are many others and, talking of figures—and we have not completed this yet—so far I have counted up some \$236,000 worth of waste by this government, and that is actually growing.

Why is accountability such an important issue? It is often spoken about. In the case of the Stanhope Labor government, however, it seems that the word accountability is just that—a word, nothing else—and accountability for this government is out the window. Let me explain to the government why accountability is so important. Very simply, it is about ensuring that taxes and charges, which this government seems so bent on increasing to pay for its inefficiencies and which are paid by the community, are actually spent in an open and transparent way.

Accountability is about being able to demonstrate to the taxpayer that the government is actually getting the best value for every dollar that it spends. Accountability is about delivering tangible benefits to the people of the ACT, the people who pay for this government's insatiable demand for increased taxes and charges. Accountability is actually about treating the people of Canberra as the intelligent people they are.

They are not stupid. They can see the waste of this government all around them. They can see the long waiting times in hospitals. They can see the poorly maintained public property and the look of the city, which is a constant cause of concern and complaint to the opposition and many others in this place from ordinary citizens in the ACT. They can see review after pitiful review with very little, if anything, coming out of it. They can see the expensive self-promoting publications on those reviews.

I will give an example—the dreaded and not lamented busway. For starters, the Chief Minister allowed Mr Corbell to spend some \$3.5 million on his pet project. It was always the height of absurdity to propose spending hundreds of millions on a busway that would achieve, on the best case scenario, only three minutes' time saving between Belconnen and Civic. Indeed, \$150,000 alone was spent on newsletters about the busway. Is that accountability? I do not think so.

The people of Canberra can see that the Stanhope Labor government is a government of words and not action. More importantly, the people of Canberra can see that this government does not live up to its own standards of accountability. The Labor Party platform for 2003-04 stated in relation to accountability that it would "conduct all financial and budgetary matters in the spirit of consultation with affected parties and demonstrate a high level of commitment to accountability and scrutiny of government".

In a media statement issued the day before the 2001 election and talking about the people of Canberra, Mr Stanhope stated, "I know they won't want another three years of waste, mismanagement and fiasco." I will certainly take him to task there. Under this government the people of Canberra have waste, mismanagement and fiasco. It has not been three years of waste, mismanagement and fiasco; it has been five and a half years.

The government inherited a set of accountability standards from the previous government and a hard-won surplus in the bank, which they have squandered.

Accountability measures had been put in place in this Assembly over the seven or so years of the previous government including such things as the quarterly reports for capital works and quarterly reports on ministerial travel. Where has that gone? That is a good little accountability standard.

I see that, quite properly, every so often the Speaker produces reports by the non-executive. It is a useful tool. What about reports by the executive? It was a good accounting measure introduced by the previous Carnell Liberal government. Might I say in relation to those particular measures of accountability that that is certainly something that we will do should we take over the government in October 2008. They are proper, sensible accounting measures.

The previous Liberal government was able to demonstrate its accountability by, amongst other things, leaving this government with a surplus in the bank. For the last two years of government we had a hard-won surplus, having inherited a deficit of \$348 million. Should we win in October 2008, we are going to have to do it all again because this government has squandered that bank account. Basic simple accountability standards have been thrown out the window and we are seeing less and less accountability from this government.

We are going to have to pick up the pieces. Indeed, we will be driven by an action agenda, not one of words and reviews, but one that focuses on actually delivering the priorities of the people of Canberra, not those of an ideological, self-indulging government that goes off on its own little tangents. We will focus on achieving actual efficiencies in government, not fanciful, idiotic misrepresentations. The Chief Minister was bleating about how \$100 million has gone to \$200 million and accusing Mr Mulcahy of adopting Mr Rudd's policy! His comments were absolutely bizarre. Maybe he needs a reading course or something just to get it right.

Mr Seselja: I do not think that is going to happen.

MR STEFANIAK: No. We need to focus on proper accountability—open, transparent and accountable government that delivers value and tangible benefits to the people of Canberra. Sadly, that is something that this government in the arrogance of its second term has failed to do and continues to fail to do with ever increasing frequency.

MS PORTER (Ginninderra) (4.58): It is interesting that the opposition has raised this issue as the Treasurer has already said that at no time has the financial accountability of the ACT government been greater than it is right now. No matter which element of financial accountability you look at, the government has a strong record. But the government is not resting on its laurels. It continues to improve accountability and transparency.

The Treasurer has provided an overview of the financial management and accountability framework and the improvements that the government has made over the past few years. For the benefit of members, I will briefly highlight some of the specific improvements that the government has made to the financial framework.

In 2003 the government introduced the requirement for agencies to prepare a management discussion and analysis to accompany their annual financial statements. The purpose of the MD&A is to enhance financial reporting by providing a high-level overview of the financial results and health of an agency. The MD&A explains the main trends and factors underlying the development, performance and position of the entity's business during the period covered by the financial statements.

Significant reforms to the ACT's performance measurement framework were implemented in the ACT government's 2006-07 budget. In that budget the performance measurement framework moved away from the presentation of quantity, quality, timeliness and cost measures, many of which provided little value when measuring the performance of an agency. The revised performance measurement framework provides more meaningful and useful measures for the Legislative Assembly and the ACT community.

An internal audit framework was developed to assist departments and territory authorities to develop their own frameworks. The framework provides guidance to departments and territory authorities on matters such as establishing internal audit committees, appropriate reporting structures for audit findings and what types of issues and audit plans should be covered. It is a framework for establishing and maintaining an effective internal audit function in territory agencies. The framework was developed partly in response to Report No 4 of the Auditor-General—*Frameworks for internal auditing in territory agencies*. That report found that internal audit frameworks in agencies were not adequate to effectively contribute to good governance.

Model chief executive financial instructions have been developed to support departments' and territory authorities' internal financial management frameworks. Chief executives' financial instructions are an integral control mechanism for the chief executives to ensure compliance with their responsibilities under the FMA for the efficient and effective financial management of ACT government entities. The instructions are regularly updated, as required, to ensure that they reflect best practice. The instructions were updated recently to further strengthen credit card practices in the territory.

As announced in the 2006-07 budget, the government implemented cash reforms to ensure cash balances are used effectively and cash management is performed in a transparent and accountable manner. Features of the cash management reform program include minimisation of agencies' cash balances, with appropriation provided on a "just in time" basis; establishment of appropriate cash buffers for each department to suit operational circumstances and working capital needs and cessation of departments earning interest revenue except where specific conditions apply.

Credit card use has attracted some attention, and we heard much of that today. It is important to remember that the Auditor-General reported that all audit agencies have issued adequate policies and procedures for the use of credit cards. Furthermore, the Auditor-General found that generally agencies have satisfactory controls in place to ensure that credit card transactions are conducted in accordance with their policies and procedures.

These guidelines and procedures are clearly doing their job, but as I said before, the government is continuing to seek to improve them. For example, Treasury recently conducted a review of credit card policies for other jurisdictions. This review found that overall the territory's guidelines are consistent with other jurisdictions, but that some minor improvements could be made to the guidelines. These minor amendments were subsequently made.

The fact that goods and services are purchased using credit cards is not a reason for suspicion. Credit cards provide significant efficiencies in the purchasing and payment process. In fact, many suppliers prefer credit card payments as they are a cost effective and prompt method of payment. These points hold for individuals, companies and governments. This is the reason why Markus Mannheim, in his *Canberra Sunday Times* article on 25 February 2007, was able to identify that in the last financial year \$3.5 million worth of goods and services were purchased by the ACT government using credit cards.

It regularly makes good financial sense to pay for goods and services using credit cards. Of course, while this sounds like a large number, it should be remembered that this represents only 0.2 per cent of the total non-salary expenditure for that period. As noted previously, the government recognises the importance of control mechanisms and has put appropriate frameworks in place to ensure that the government and its agencies are accountable for the use of credit cards.

ACT Procurement Solutions oversees the procurement processes at a whole of government level. This centralised system increases the government's capacity to obtain value for money. At the same time it improves accountability by establishing clear roles and responsibilities across the ACT public sector. Within Procurement Solutions there are stringent processes and procedures in place and qualified and experienced staff to implement these processes across the ACT public service. Furthermore, Procurement Solutions has a well-established quality assurance process and detailed reporting requirements in place. To further enhance accountability the Auditor-General can review any aspect of Procurement Solutions' performance or compliance, including its accountability framework.

The government continually seeks to build on and improve its procurement framework. For example, in response to a report by the Auditor-General in 2005, the government is increasing the reporting requirements to require all contracts over \$20,000 to be reported publicly. This has further enhanced the accountability of all government departments and agencies. The government has a strong record on improving accountability and the financial accountability, and controls in the public sector have never been stronger.

MR MULCAHY (Molonglo) (5.05): I would also like to make some comments about accountability and the matter of public importance that Mrs Burke has raised here today because I believe that this issue is crucial to the way in which we run our public sector and our government. Sitting here in the Assembly and passing legislation with lofty principles and high sounding rhetoric about objectives is all very well and good, but these directives make very little difference unless proper procedures are in place to ensure that the public sector is acting effectively.

It seems that if you raise an issue in this place that in any way involves public sector, where just under 50 per cent of our entire outlays are going, it is a crime. The Chief Minister takes personal exception. He says that people who have a statutory duty and who are elected to this place to examine these matters have no right to do so. I find that outrageous! Accountability is crucial to ensuring that spending decisions are made properly. In any effective organisation those in charge of management of the organisation must assess the adequacy of spending decisions. They must probe and question. They must evaluate and scrutinise. We do have that role here in this Assembly.

Accountability is more than merely keeping records of the dollars spent on this or that broad category. It means that sufficient information must be available to allow decisions to be scrutinised. I found it absolutely extraordinary today that every time we referred to matters that the *Canberra Sunday Times* raised with this government back in February, which were not answered, the ground moved over to an Auditor-General's report. We are not talking about that. We are talking about a series of well-researched and considered questions—and I have large numbers of copies of these questions—which were sent to this government for which there are many, many outstanding answers. This is unacceptable conduct.

In the context of spending decisions, it must be possible to find out how much money was spent on what, but also why, this money was spent. What was its purpose? Was this purpose achieved? I have been critical of this government's reckless attitude and lack of accountability for spending since I joined the Assembly. The spendthrift attitude is especially aggravated when you do not even keep proper records of how and why you were spending money. When the government cannot account for spending or when it does not feel the need to account for spending, you can be sure that waste is not far behind.

In an article published in the *Canberra Sunday Times* entitled "Expenses called to account", Markus Mannheim writes:

The *Canberra Sunday Times* asked the bureaucracy last week for the total amount spent on each area in 2005-06.

These areas were hotels, meals, conferences and courses. The article continued:

While every item of public expenditure is allocated a cost centre that describes how funds were used, most departments were not able to answer without more time. Only ACT Health was able to quickly provide a detailed breakdown ...

These figures contrast sharply with the corporate credit card record supplied to the *Canberra Sunday Times* which showed ACT government executives had spent at least \$180,000 on hotels, \$225,000 on conference and courses—many interstate and overseas—and \$60,000 on food and drink. The Auditor-General found these amounts were likely to be a mere fraction of total expenditure.

The seven government departments and agencies she investigated spent about \$1 million over the past two years on hospitality alone.

That is a mere fraction of the total figure. Let us not rely simply on that one report which dealt with a handful of agencies. The article concludes:

Bureaucrats took trips to Britain, Sweden, Germany, South Africa, China, South Korea, Singapore and the US in 2005-06.

I am not saying all of that is without justification, but I take great exception—

Mr Hargreaves: What about your \$16,000 trip to the US?

MR MULCAHY: I wrote a 389 page report, Mr Hargreaves. I have never seen one from you on that visit. I would counsel Mr Hargreaves to read the report because he might improve his knowledge of public finance and credit management and he would understand the value gleaned from that.

But what we get from this government when you ask questions is not a detailed account, which I am more than happy to provide, and have. Instead we get, “How dare you question things? How dare you ask about \$3 million in outlays? It is only a small amount of money.” We heard the same line when Mr Stefaniak raised the issue of the Grassby statue. We were told, “\$75,000 what is it, a small amount of money?” We are told not to worry about the busway, “We will rid of Mr Corbell. That is the quickest way to solve that problem.” And on it goes.

We have seen from the *Canberra Sunday Times* article of 25 February that there are many instances where ACT government departments are failing to keep adequate records to account for their spending decisions. It is not clear what, if any, purpose the spending is supposed to achieve. It is not clear whether the spending is legitimate or not and it is certainly not clear whether the spending is value for money or whether it is achieving anything of value at all.

It extends to all agencies, including Mr Hargreaves’s. When we point out some specific area of waste, whether it is money spent on rash and politically motivated litigation against the federal government or money spent on a gratuitous statue of a Labor mate, the government’s standard response is the same, “Well, that is only \$75,000.” Yes, these amounts, taken on their own, are indeed small in comparison to the overall ACT budget. But they do add up. An argument over wasted expenditure on a statue is not, as the Chief Minister refers to it, petty politicking. These so-called petty amounts are more money than most Canberrans earn in an entire year.

Recently the Chief Minister was critical of the Liberal Party’s criticism of his bloated increases in rates and charges. He scoffed at our commitment to rein in government spending. I think his words were, “There are a lot of \$75,000 savings to be found,” again referring to money wasted on the Grassby statue. Yes, Chief Minister, that is a lot of statues, a lot of lawyers’ bills, a lot of luxury cars for Rhodium executives and a lot of expensive lunches for bureaucrats. It is a lot of tickets for sporting events and a lot of needless entertainment bills.

The Labor government seems to believe that, as long as they do not keep proper records of their spending, there is not any waste. Perhaps they like it this way.

Keeping proper records would mean that spending decisions could actually be scrutinised and judged. There should be no reason why there is a reluctance to put this information before the parliament given our role in overseeing public expenditure.

We are due this very week to debate an amendment to the Government Procurement Act which has, as its primary focus, a clear statement that government procurement should be made on the basis of value for money. It is very easy to write a sentence into a piece of legislation and then forget about it. It is quite another thing to hold the government of the ACT to account.

No doubt the Chief Minister will try and distort this criticism into some kind of claim that he should go around from agency to agency rummaging through meal receipts and trying to micromanage spending decisions. That is not what we are asking for. What we are asking is that the government ensure that its departments keep clear records of their spending, including the purpose and outcome of spending decisions, and be in a position to respond to reasonable questions from the media which, with the exception of one government agency, they have failed to do and not come back, as happened with Mr Corbell, when more than \$34,000 worth of justice department spending could not be scrutinised, with the answer, "The reason expenses have been blacked out is that the expenses are not associated with executives. The blacked out material deals with information that is outside the scope of your request." Why is that necessary? Why is it necessary to hold this information back? If everything is straightforward, then let us explain it. These are concerns that the opposition holds.

Ministers must ensure that senior staff in the department are scrutinising the spending decisions of more junior staff, and that even more senior staff are then scrutinising this all the way back to the minister. It is the responsibility of the minister to ensure that the department is running efficiently and is accountable to the public for its decisions. Ministers must be proactive in dealing with their departments. They need to get in there and make sure that these matters are being managed appropriately at a level expected by the taxpaying community.

The issues raised by the *Canberra Sunday Times* have shown us that there is an unsatisfactory level of accountability in many departments concerning expenditure of this nature. They have shown that in some areas money is being spent hand over fist without a clear record being available to be produced indicating either the purpose for which that expenditure occurs or whether that outlay has in fact achieved its purpose.

This is not merely one or two items of expenditure that are being questioned. If that had been the case, I would not be wasting my time here. Let me say in relation to some of the Chief Minister's earlier comments that when I first received that Auditor-General's report, it did not cause a great deal of alarm. It dealt with seven agencies. There were some troubling comments about sponsorship, and I had privately reached a view about going to events sponsored by other government departments. But when the *Canberra Times* called me that night and said, "What is your view?" I said, "Well, on my first read of the report, I don't think these are terribly alarming things." They said, "We've got a whole lot more to show you," and they did. They said, "What do you think about all of this?" (*Time expired.*)

MR TEMPORARY DEPUTY SPEAKER (Mr Gentleman): Order! Discussion of the matter of public importance is concluded.

Housing Assistance Bill 2006

Debate resumed.

DR FOSKEY (Molonglo) (5.15): This bill underpins and reflects substantial changes to this government's commitment to public housing in the ACT. First of all, I thank the government for providing a briefing to us on this bill by the minister's officers. It was also a briefing about the government's social housing program, which Mr Hargreaves spoke to before. I want to say that I can only address some matters in this short time. I refer the Assembly to ACTCOSS's comments on the Housing Assistance Bill, and I thank them for those.

The first steps in the changes to the government's commitment to public housing became evident with the changes to public housing eligibility that were put in place in the middle of last year. This bill, when it was tabled last year, clearly laid the groundwork for more substantial changes which were made apparent with the policy announcements on 20 April. Every one of these changes can appear defensible when viewed in isolation but, when looked at more broadly, we see a step away from any commitment to a shared society, with the result being an absolute failure of vision.

Mr Hargreaves has made much of his status as a champion of the ACT Labor right. Perhaps a complete lack of vision is what the Labor right stands for. I am not alone in my view that it is a shame that the ACT Labor government has become so captured by the right. Orwell's *Animal Farm* provides the metaphor. When the ACT Labor Party took over from the Liberals, many people had imagined that the vaunted social plan and the Labor Party platform were things that would shape and direct government policies. Bit by bit, however, under the cover of pragmatism, we have seen decisions, small and large, undermine the ambition and the promise of that first accession to power. Since the last election, just like in *Animal Farm*, we have seen dissent and opposition crushed or treated with contempt.

In this case, funding to ACT Shelter and the Coalition of Community Housing Organisations, CCHOACT, was slashed to avoid any deep analysis of housing policy. Whether or not there was a personal element to this budget decision, there is no denying that it serves a political agenda. I welcome the work that ACTCOSS does to try to fill that breach. These days, the ACT government only seems to want advice from those it trusts or pays to support it. The recent cabinet reshuffle appears to reflect that approach.

These latest changes to public housing policy have been welcomed by the Property Council, real estate agents and the Liberal Party. It is very nice to see the mutual admiration club that has developed in this Assembly, with evidence today of Mrs Burke purring at the Minister for Housing in approval of the changes that this bill envisages. Just as at the end of *Animal Farm*, we can no longer tell apart the people who used to be in charge of the farm from the pigs who promised so much more when they took over. It appears that the Greens stand alone in this house to oppose them.

The greatest disappointment of the debate on public housing in the ACT is that it has allowed the policies of the Australian government, particularly since 1996, when the coalition gained power, to be skated over. At the start of 2006, ACTCOSS and Shelter together published *The wealth of home—a call to action on affordable housing*, intended to inform the minister's housing summit. The minister has treated that report with contempt. This could simply be because it did not offer the advice that he wanted. *The wealth of home* includes a brief but clear analysis of the impact of commonwealth programs of the past few years. It argues:

The Commonwealth Government has a significant impact on the housing market, both through its spending programs, most notably the Commonwealth-State Housing Agreement, Rent Assistance, and the First Home Owner's grant, and through its taxation treatment of housing assets.

It points out that the federal government's provision of finance for public housing has declined in real terms in the last decade while commonwealth rent assistance has increased, and argues:

The continuing rise in housing stress despite the provision of CRA, as well as its possible effects in expanding demand and placing additional pressure on rental prices, has led some commentators to criticise CRA as ineffective.

The key impact of commonwealth policy, however, lies in the revenue forgone from the taxation treatment of housing assets. The report continues:

The Commonwealth Government exempts owner-occupiers from the capital gains tax, and gives a discounted rate on investment properties held for more than a year. There are significant tax advantages created by opportunities for negative gearing of investment properties. In addition, the imputed rent from owner-occupied housing is not taxed, despite its inclusion as income in the national accounts.

A study by AHURI found that the non-taxation of capital gains for homeowners resulted in up to \$13 billion of forgone revenue for the Federal Government and a further net \$8 billion from the non-taxation of imputed rent.

Perhaps most tellingly, the study found that the beneficiaries of these tax benefits were high-income, high asset groups rather than those on low incomes.

Despite its contribution to social housing and rent assistance, the net effect of Commonwealth policy settings gives the greatest benefits to those at the higher end of the income scale.

Professor Pat Troy was recently on ABC Radio's Australia-wide Sunday night talkback program arguing that the commonwealth's move away from its post-war public housing commitment to the provision of public housing is imposing a significant social and economic cost on our society. In summarising his position, he has since said:

The Commonwealth's decline in support for public housing and the conditions it forced on the States and Territories led them to convert their housing stock to

residual welfare housing, carrying with it all the stigma and social stresses now experienced in many housing estates.

The simultaneous changes to taxation and capital gains from real estate, the persistence with negative gearing and the licence it gave to the financial institutions has created the madness we now see in house price inflation which further disadvantages low income households.

Proposals to change the rental conditions for those in public housing will not lead to an increase in supply of low income or affordable housing, but will cause more stress and misery. Moreover, it can hardly be seen as a sensible measure for governments concerned to foster a sense of community.

Consequently, to meet the simplistic and populist argument that someone paying market rent for a government house is taking the home from another who needs it is to dodge the reality of how our society handles housing. Increasingly, the focus is on public housing as a charity to be dispensed to those poorest and with the most complex problems. That government policy gives a housing advantage to those well off and better established is entirely ignored. Our goal ought not to be to increasingly tighten the criteria for public housing so that it is accessible to fewer and fewer people; it should be to increase the options for secure and affordable housing for all. We see here such a change in the whole way that public housing has been administered in Australia.

Australia is now retreating from a goal, which it was heading to for many years, under the enthusiastic pressure of property owners, real estate businesses and the conservative side of politics which favours private property ownership as a matter of principle. These people have been looking for a so-called millionaire in government housing for some time, someone that they could drag through the slime mills of Canberra's shock jocks and blog jocks, and someone found me. It was no secret where I lived. I was lucky to clear \$15,000 a year for the 10 years I was there.

Seven months after being elected, the headlines revealed the "pollie living in Yarralumla"—shock-horror—"in a government house" and, in small letters, "paying market rent" but keeping some poor family out of my little wooden guvvie. When I left, it was for someone wealthy enough to pay \$640,000 and rebuild. Neither the poor family nor the street benefited.

Politicians are easy to attack, and Greens politicians, due to the moral high ground we are continually accused of claiming, are perhaps more so. If I had immediately accepted judgment of contrived public opinion, my daughter and I would have moved out in a flash. I would thereby have justified the superficial arguments, the hostility and the antagonism being directed at me by the media, by the real estate and property industry and by people in this place, and, worse, lent my support to the eviction of other market renters in Housing ACT.

Instead, I followed the policy which existed then for all public housing tenants, which was to move on if and when I and my family were ready. I did that about a year ago. Now, as it happens, I am doing it again because that is the uncertainty of the private rental market.

Throughout that whole process, I was hoping we would have a policy debate, yet even now the Property Council's Catherine Carter has chosen to attack me in the media on this issue in an attempt to paint the policy position of the Greens as personal sour grapes on my behalf. Frankly, Canberra deserves a better debate than that. I remind the Assembly that I am not alone in these views.

Security of tenure in public housing has been a long-held position of both the Greens and the ACT Labor Party. Ripping it up will tear the social fabric of many of our suburbs. It is also the strong view of a number of tenants who have contacted my office in the last week. They are distressed both at the manner in which the news has come that they may lose their homes in one way or another and that there are no principles or guidelines in evidence about how this process will be managed. They are cautious about going public because they fear recrimination.

One woman who rang my office said, "We are being punished for battling and for paying our rent and for making no trouble. Who are the people who will be most affected?" It will be women in their 50s. "Lots of us"—and I am quoting here—"were single mums; we brought up our kids."

Mrs Burke: Ridiculous.

DR FOSKEY: I am quoting a constituent, Jacqui; you would not speak like that about a constituent, would you? "We've done our time. Now we might have a job. We are doing okay." At last! But they do not have the deposit. To quote again: "The threat of eviction; it is a word bandied about now. There's a punitive sound to it. Our crime is that we paid our rent on time. Now we will be punished for living in our homes." This is not a sexy group.

This policy will do two things for people. Some it will push out into the market; others it will move from their homes to a stand-up coffin, as one caller put it. She spoke very powerfully about the health issues, physical and mental, that can result from this policy—a policy that will end up targeting older and middle-aged women, some of whom are quite fragile.

Quoting again: "In your mid-50s, this is a horrible thing to face. Once a month my son comes to visit from Sydney, stays in his old bedroom. I would never see him or my grandkids if I lived in a one-bedroom place." Again: "People more successful expect to have their family around them but our communities and our families do not count. Why aren't we entitled to the basic facilities for sustaining a family connection?" The view of these people is that these older, single women have no right to normal expectations of home, family and stability. Mr Hargreaves has often said, "We do not just give you a government house; we give you a home."

I have been asked whether Housing ACT have done a social or health analysis. Have they considered the physical and mental deterioration when people are forced out of their homes? Have they looked at the cost, economic and social? It is not just that demographic that is vulnerable. There are couples on about \$40,000 a year each, and there are more complex family arrangements that might push people over one line or another.

The number of people paying market rent is falling anyway. It is hard to see how this latest move will economically benefit Housing ACT. The only thing it does is allow the ACT government to claim that it is addressing growing need without increasing housing stock. Even the notion of shared equity, which the government plans to push people into as a clever little catch-all solution, is ludicrous if your government house happens to be in an expensive suburb. It is impossible if you live in a unit because this government has ensured that these properties are not strata titled. Yet people who fall above or outside the line will be pushed out of those too, I imagine.

One constituent contacted the Champions group who is going to advise, we are told, the government on how to manage the process. She advised us that she was met with hostility. She rang the information number provided on the letter from Housing ACT, and no-one at that end was any help either. She has no confidence that Housing ACT will deal sensitively and generously with tenants who have been such positive contributors to the Housing ACT community. I am talking here about perceptions. *(Time expired.)*

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (5.30), in reply: Let me address a couple of things that Mrs Burke said a little earlier. I thank her for her support but I need to put some clarification down. Then I will address some of the things that Dr Foskey said.

Mrs Burke said that she appreciates the fact that this government has adopted Liberal Party policy in relation to making tenancy available in housing. We have not done any such thing. We have not adopted Liberal Party policy, but we certainly have matched it. This government is proceeding cautiously by taking a long lead time in introducing changes, even for those on incomes of \$80,000 or more. Perhaps Dr Foskey, who whinges like blazes because she cannot get a hearing, would like to turn her television set on when she gets upstairs. She throws accusations around here like confetti and will not sit here and listen to the explanation. Is it any wonder people regard her with such derision?

We have said that, even for those on incomes of \$80,000 or more, it could take a period of about three years. The former Liberal government took a much simpler and harsher approach, in our view. In time, all of the 11,500 families renting public housing thus found themselves at threat of eviction at regular intervals, particularly when the tenants' income reached a particular level. All tenancies were reviewed.

If the tenants' income reached average weekly earnings for a couple plus 10 per cent, which I am advised is currently about \$61,500, action was taken. There was no effort to ensure the income level was sustainable or that the transition was eased for the tenant. There was no shared equity scheme; it was all or nothing. You either rented or you bought the whole house.

Labor government policy is aimed at those with a sustainable income of \$80,000 or more, and there will be a transitional period. In addition, we will aim at allowing even these tenants to buy the house they are renting from the government either outright or in a shared equity scheme. Let me assure all of our tenants that we are not the Liberal Party and that there will be no abrupt termination of anyone's tenancy.

Let us have a little go at Dr Foskey. She says that we will cause more distress and misery but did not back it up. She says the government is giving priority or advantage to tenants on a high income, but the fact that we are giving advantage to tenants on high income is being ignored. What does she think this package is all about? This package is about those 1,018 people on the waiting list, people who are fleeing from domestic violence, people with kids with a mental illness, people with physical disability who could not get a job in a pink fit and are trying to get into homes, while those sitting on \$80,000 a year enjoy public housing. For Dr Foskey's benefit, that is what the package is all about.

What is it that we want to do? We want to have people purchase their homes so that we can recycle money. Dr Foskey says her constituents talked about not having the deposit; they are worried about the word "eviction". Firstly, those on over \$80,000 a year can exist in a private market and they can exist in a private rental marketplace. People on \$50,000 to \$80,000 now have access to shared equity that they did not have before. So where is this "cannot afford the deposit" business? If they are earning between \$0 and \$50,000 there is going to be no change in their circumstances anyway because they are under the limit. If someone is hitting \$45,000 to \$48,000 we would see whether we could help them out with the shared equity scheme.

From where I am sitting, it is all about self-interest ruling. What was the first thing? Dr Foskey did not attend the briefing. She sent one of her staff members and popped in at the last minute. What was the first comment she made when she walked out the door? "It was a shame shared equity was not in when I was trying to shoulder all of that pressure," because she could have bought the house she was in. What an absolute change and turnaround this is! She is being critical for her own sake. She has made a complete mess of it.

I thank some members for their comments on the bill. This is an important piece of legislation which will establish a contemporary framework for the provision of social housing services in the territory. I have indicated in the presentation speech already the details of the provisions of the bill.

Rather than repeat all of that, I refer to the comments by the scrutiny of bills committee. As members would remember, the scrutiny of bills committee made comments about certain aspects of the bill in its report issued in February 2007. In particular, they commented on the provisions relating to personal information and transitional arrangements. With regard to the provisions which seek to protect personal information, I responded to the committee and indicated the government believes that the right to privacy for this class of people outweighs the right of people to gain access to a list of housing assistance projects. That was in response to Mrs Burke wanting to get the list of names and addresses of everybody living in public housing, which would have appalled everybody.

As I stated earlier, as the largest landlord in the territory with the most complex group of tenants, the government is particularly concerned to ensure that housing assistance recipients are able to conduct their lives free from possible harassment, direct mail or other forms of uninvited attention, like a visit from Mrs Burke or a visit from Dr Foskey. Nothing would frighten me more! We believe that this provision is a proportionate response to such matters.

With regard to the committee's comments on possible impact on property rights, which is something I know that you, Mr Temporary Deputy Speaker, raised with us before, the government sought legal advice from the Government Solicitor's Office. It differed from the opinion expressed by the committee. In short, the GSO advice says that no such rights exist and the bill does not, in and of itself, affect any property rights. However, in order to ensure clarity in relation to transitional provisions, particularly for those persons who may have uncompleted appeals before the Administrative Appeals Tribunal, government amendments have been drafted to address the rights and liabilities issues raised in the committee's report.

Before I conclude my remarks, I make some brief comments about the document circulated to members by the ACT Council of Social Service in relation to the bill. I believe it is important to put on the public record the facts relating to this legislation. Despite the council's claims, as I indicated earlier, there has been a great deal of community consultation on housing policy issues in the ACT since I became minister. The policy underpinning this bill has been the subject of discussions and debate with over 680 people in the territory through the housing summit, the consumer forum and the ministerial housing advisory forums conducted last year.

These discussions were supported by over 250 pages of information, research and analysis prepared by my department to facilitate broad community input. It is ridiculous for the council to suggest that there is no strategic framework for housing in the ACT—something parroted by Dr Foskey—when it is clear that our policy position is based on the fundamental commonwealth-state housing agreement objective to provide “appropriate, affordable and secure housing assistance for those who most need it, for the duration of their need”.

The government's extensive public housing reform process over the past few years has clearly been focused strongly on those most in need. It is our responsibility, and we are committed to follow through on it. The changes announced in April this year build on those earlier reforms and seek to implement our key goal of aiming to house those most in need and as quickly as possible.

With regard to the council's concern about the introduction of a definition of “housing assistance” possibly limiting the power of the commissioner or impacting on my ability to respond to special cases, this is not an issue. There is no material difference between section 8 (1) (d) of the old act and clause 11 (1) (b) of this bill. In special circumstances the minister also retains the right under clause 16 of this bill to give the commissioner directions on the exercise of her functions. These directions must be followed.

It is surprising that the council has chosen to express concern about the inclusion of eligibility criteria as a mandatory element of housing assistance programs. The government believes there are some fundamental components of all housing assistance programs, and these have been included in the bill: eligibility criteria, the type of assistance to be provided and the mechanism for review of decisions.

The council's suggestion that the introduction of eligibility criteria means that there will never be universally accessible housing programs is as spurious as it is ridiculous. Without eligibility criteria we would not, for instance, be able to restrict access to

housing assistance to ACT residents, which would open the gates to a flood of applications from across the country. Similarly, we would not be able to stop millionaires accessing housing assistance or target assistance to those who need it most. Parts of this bill are aimed at ensuring that the government can address these issues.

As I indicated earlier, the government believes that identifying a mechanism for reviewing the commissioner's decisions is an essential component of any housing assistance program. In the old act, reviews by the AAT were something which may be included in the program; it was not required. We have strengthened the review provision, while not restricting the avenues through which the review may be conducted. It is not necessarily the case that the very formal procedures of the AAT are always the best and only mechanism by which such reviews should occur.

In relation to the council's comment on the time frames for providing further information to the commissioner, it is clear that the seven-day period included in the bill is a minimum time period. The bill also requires a reasonable time for information to be provided, which allows the commissioner to take into account the circumstances of the applicant in determining the required time frame. It is not the intention of this provision to refuse assistance to those eligible people in immediate need. I repeat: it is not the intention of this provision to refuse assistance to those eligible people in immediate need—something which has been missed by Dr Foskey.

With regard to the new provision which allows the commissioner to seek information from existing recipients of housing assistance, it is clear that we would need to be in a position to better understand the needs of our tenants in order to effectively manage the social housing system. We do not currently have information on a range of issues, the most important of which is income levels of our non-rebated tenants.

As the government considers possible changes to the housing system, it needs to have the best possible information available, and this provision provides us with the basis to collect those details. For example, without tenant income information, we are not in a position to assess the impact of proposed enhancements to the housing system or new policy proposals or model the effect of inducements or incentives which we may seek to provide, such as shared equity.

The proposed sanctions for not providing the requested information to the commissioner are reviewable by the AAT, consistent with the seriousness and formality of those sanctions. Members may recall that the capacity to collect this type of information was discussed in the review of Housing ACT market renters tabled in this place on 26 August 2004. Any suggestion that this conversation has not been enjoyed some time ago is ludicrous.

With regard to the council's comment about the scope of the provisions which protect personal information, it is clear from the bill that the exemption is provided in the context of the Freedom of Information Act 1989. The information to be exempted is treated consistent with that act.

The council's comment about office accommodation for community organisations in Housing ACT properties appears highly self-serving. The government has repeatedly

stated, as I have said here today, that public housing is for those most in need. This bill reflects that priority. In this time of heightened community concern about housing affordability, it is clearly not appropriate for, nor the role of, public housing properties to be used as office accommodation.

Overall, it is unfortunate the ACT Council of Social Service have chosen to misrepresent aspects of the bill and that they took over four months to raise these issues. They did not seek to discuss them with me or my department, nor did they seek clarification on any of the issues about which they appear confused. If they wish to be taken seriously in the policy development process, they need to reciprocate the expectations they have of government, engage much earlier and provide accurate feedback based on evidence.

In response to Dr Foskey, she said, firstly, that she lost her house and that it sold for \$640,000 to somebody who moved in. There was nothing about what we did with the \$600,000. The answer was that the money was recycled through the housing program, because the commonwealth-state housing agreement demands it. Every sale that we do of a property has to be recycled into property. Full stop.

Mrs Burke: Read the act.

MR HARGREAVES: Read the act. That is a good one, thank you, Mrs Burke—and stop misrepresenting us.

In conclusion, I am confident that this bill will provide us with a solid foundation from which to operate a modern social housing system for the next 20 years. It provides the fundamental structure required for a social housing system while using housing assistance programs to provide the flexibility needed to respond to an ever-changing social housing market. Importantly, this bill also supports the government's affordable housing reforms announced by the Chief Minister last month. I commend the bill to the Assembly. (*Time expired.*)

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 16		Noes 1
Mr Barr	Ms MacDonald	Dr Foskey
Mr Berry	Mr Mulcahy	
Mrs Burke	Ms Porter	
Mr Corbell	Mr Pratt	
Mrs Dunne	Mr Seselja	
Ms Gallagher	Mr Smyth	
Mr Gentleman	Mr Stanhope	
Mr Hargreaves	Mr Stefaniak	

Question so resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR HARGREAVES (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (5.50): I seek leave to move together amendments Nos 1 to 5 circulated in my name.

Leave granted.

MR HARGREAVES: I formally move amendments Nos 1 to 5 circulated in my name [*see schedule 1 at page 794*]. I table a supplementary explanatory statement in relation to the government amendments.

Very briefly, these amendments respond in a sense to some of the concerns expressed by the scrutiny of bills committee. They tighten up some of the right to liability issues that are in the act. We have omitted a clause. These are mechanical amendments. Since the amendments were proposed by the scrutiny of bills committee, I would urge members to support them.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Territory Records Amendment Bill 2007

Debate resumed from 8 March 2007, on motion by **Mr Hargreaves**:

That this bill be agreed to in principle.

MR PRATT (Brindabella) (5.52): We agree in principle with the government's amendment, the fundamental change to the act being the postponement until July 2008 of public access to territory records. The bill that the minister has proposed allows agencies an extension of time of one year to prepare records for public access. The bill also allows for a review timetable to be set in place to ensure that the Assembly is satisfied with all aspects of the operation of the act.

The Territory Records Act 2002 was initiated to establish a regime for the effective management of records in all agencies of the ACT government. The opposition urges all agencies and the government to be mindful of the main purposes of the act—namely, to encourage open and accountable government by ensuring that territory records are made, managed and, if appropriate, preserved in an accessible form; secondly, to preserve territory records for the benefit of present and future generations; and, thirdly, to ensure that public access to records is consistent with the principles of the Freedom of Information Act. God, you can only hope! Clearly, with

20 kilometres of shelving of departmental public records, that is quite a challenge to undertake. We understand that there needs to be an extra year added to the project and we therefore commend the amendment bill.

DR FOSKEY (Molonglo) (5.54): While it would be churlish to oppose the passing of this amendment, I would ask the Minister for Territory and Municipal Services to explain why our government departments do need another year to fully comply with this act, particularly in light of the funds spent by Mr Hargreaves's department on consultants to assist with its implementation. In 2003, former urban services minister Bill Wood told the Assembly that his department had allocated \$35,888 to Stuartfield House Consulting Group for assistance with the implementation of the Territory Records Act. At the same time, he listed 10 other contracts given to consultancy firms by his department for a total of \$125,000.

From the limited information provided to me by the office of his successor, Mr Hargreaves, it seems that each of these contractors was also engaged to help the government get its records in order. That means that the government has spent over \$160,000 already on getting itself ready for this act to come into effect. Why, then, is Mr Hargreaves requesting another year on top of the five years they have already had, particularly when they have had so much help at such a cost to taxpayers?

I do understand that this is an enormous task and that it needs to be managed carefully to ensure that sensitive and private information is not inadvertently released but, leaving aside the fact that the government has already had five years to put in place the necessary safeguards, what exactly did these expensive consultants do, if not assist with that? It seems to me that either the government has wasted thousands of taxpayer dollars on unhelpful consultancies or it is simply dragging its feet when it comes to meeting its commitment to make the territory's records public.

I will not be opposing this amendment, but I do feel that the government has some questions to answer as to why it is necessary to extend the time frame for this act.

MR HARGREAVES (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (5.56), in reply: I thank the opposition for their support and their understanding. I think that this is really a reasonable thing for them to do. I thank Dr Foskey for her vociferous support for this piece of legislation. I only wish that, when she has concerns with legislation that has been tabled in this place for some time, she would contact my office. We would be happy to give her a briefing on any issue that gives her some concern. This is the second piece of legislation for which we have seen a classic case of ineptitude and laziness in this place.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

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

That the Assembly do now adjourn.

Belconnen to Civic busway

MR SESELJA (Molonglo) (5.57): I want to take the opportunity this evening to say a few words about the busway and the death thereof. Last week, on 23 April, there was an exclusive article in the *Canberra Times* that the busway had officially been pronounced dead by Mr Hargreaves and a \$115 million proposal to build a busway between Civic and Belconnen had been scrapped. We of the opposition certainly welcome that decision. We think that some sanity has at last prevailed in relation to this project.

We have been hearing a lot today about governance and the importance of good governance. I want to go through some of the busway saga for the benefit of members of the Assembly. Mr Corbell announced the busway some time ago—I believe it was early in 2004—and since then we have had mixed messages coming from the government. It appeared that Simon Corbell was the only one in the government who was genuinely committed to it. There is a big question mark over whether cabinet initially approved expenditure on the busway. If the cabinet had previously approved expenditure on the busway, it has actually made a pronouncement that the busway will not go ahead.

I want to take members through some of the different messages we have had. In November 2005, we had Mr Corbell saying, “Of course we are continuing to work on dedicated public transport infrastructure such as the proposed busway between Belconnen and Civic. When asked whether the busway would go ahead, Mr Quinlan said in January 2006, “I would doubt that.” When asked in March 2006 whether the busway would go ahead, Mr Corbell said, “The route options chosen for further assessment have been selected after an exhaustive selection process involving community consultation and enduring investigations and evaluations of environmental issues by public transport consultants, noise specialists and expert wildlife and botanical panels.”

Mr Hargreaves was asked in May 2006, “Will the busway go ahead?” “Not in my lifetime,” was the response. The Chief Minister was asked in May 2006 whether the busway would go ahead. He said, “The government approved, I think a couple of years ago, detailed planning studies into a dedicated busway from Belconnen to the city. Those studies are proceeding and we will complete those studies and through those studies we will reserve land for a potential future dedicated busway.” In April 2007, Mr Hargreaves scrapped the project.

It needs to be put on the record that that was a good decision, but the question remains: why, when blind Freddy could see that and when John Hargreaves was able to say back in May 2006 that it would proceed over his dead body, Simon Corbell and this government could not see it and this government went on spending millions of

dollars of taxpayers' money on a project that never had any prospect of getting up? That is the great scandal and that is the great waste of taxpayers' money that we have had.

The latest figures would put the amount to date at around \$4 million. I do not have the absolute up-to-date figures. I do not know whether you are still going to complete your planning studies for this busway that will never go ahead. Perhaps Mr Hargreaves can enlighten us on that. But it is scandalous that we have had around \$4 million of taxpayers' money spent on a project that never had any prospect of getting up. If there was even a reasonable prospect of its getting up, perhaps it is money that could have been spent, but everyone except Simon Corbell knew that this project was not a goer. We knew that a three-minute saving on a trip from Belconnen to Civic was not worth spending \$115 million on.

Everyone knew that. Mr Hargreaves knew it. I do not know what went on in cabinet to allow the money to be expended, but it has been a complete waste of taxpayers' money and it has come about through the public divisions that we have seen between the right and the left of the Labor Party. Obviously, in the end the right has prevailed. Thank God for that, but it is a pity that it could not have been killed from the outset, as the taxpayers of the ACT would have been saved \$4 million.

Territory records legislation Planning

DR FOSKEY (Molonglo) (6.02): First of all, I want to set the record straight. Mr Hargreaves did tell me that I was very welcome to ask his office for advice at any time. I know that I am very welcome to do so, and I frequently do. I must say that I usually get a very good response. My office put in a request to his office over a week ago for some information about territory records and got that information today. So it is of grave concern that Mr Hargreaves tries to misrepresent people who disagree with him.

That leads me to another matter. I respond to Mr Seselja by saying that I wanted to stand up today and say that it really concerned me to see the kinds of changes that were made to cabinet a couple of weeks ago with the dropping of Mr Corbell from planning. I do not know what goes on inside the Labor Party, but it seems to me—

Mr Hargreaves: And you never will.

DR FOSKEY: Of course not, and happily so. As Mr Corbell, a former Minister for Health, expressed what I feel was a legitimate concern, he was dropped from the planning portfolio. I do not know why it was from planning—he could have been dropped from any of the other portfolios—but it was done at a really crucial time in that planning is going through the most significant reform since self-government.

I have rung the office of Mr Barr, the current Minister for Planning, and I have not yet had answers to those questions because the people there do not have the expertise. The planning portfolio in the ACT is so complex that it could not be learned in the amount of time Mr Barr has had. I believe we all have an interest in good governance, no matter what party we belong to. Indeed, that is my interest. You may not agree

with me and you may not like the way I do it, but that is why I stand here and that is why I am a member here. I also want to say that to see now the rubbishing of the busway project consultancy—

Mr Hargreaves: Who said that? Another misrepresentation.

DR FOSKEY: I just heard it from Mr Seselja, Mr Hargreaves. What we are really talking about here is part of the sustainable transport plan. It is very important that ministers of new portfolios take on all the work. I know that it is a significant amount of work and ministers are already overburdened, but, if you agree to take on a portfolio, it seems to me that the work of finding out what has been done and why it has been done is part of that job.

It is a little concerning to see what the opposition and the government are doing today. We will see something different tomorrow, I know, because it is the nature of this place that one day people are screaming at each other with hatred and the next day they are smooching up to each other. But we really need to keep in mind that we are actually here to provide good governance for the ACT and to provide scrutiny if we are in opposition or on the cross bench. We are certainly not here to abuse people, because I do not think that that is respected by the citizens of the ACT.

Ms Gina Pinkas
May Day
Industrial relations

MR GENTLEMAN (Brindabella) (6.06): Firstly, I would like to take this opportunity to acknowledge the time and care given over the last five years by a prominent member of our team. Last Friday, Gina Pinkas, from Mr Corbell's office, left us to go on to be, as she says, a community agitator. I thank Gina for all the hard work and help and I wish her the best of luck. It is to her I dedicate this adjournment speech today.

Mr Speaker, as I am confident you have noticed, today I wear a red rose over my breast. This rose is being worn to commemorate an historic day that is close to my heart. This day is May Day. May Day—also known as International Workers Day; those opposite would now about that, I suppose—celebrates all the international achievements of the union movement, from fair wages to acceptable OH&S measures, from leave entitlements to the eight-hour day. Also, May Day marks the day that in Chicago in 1886 workers were demonstrating for an eight-hour day. Previously, as you would be aware, there were no limits to the hours of work required by employees.

I have promised my constituents and fellow Canberrans that I will work tirelessly for their rights in the workplace and I have promised my constituents and fellow Canberrans that I will, at every opportunity, make Mr Howard aware of the anguish, the negative financial impact and the pain that he has inflicted on Australian workers and their families in introducing the WorkChoices legislation. I want the Assembly and Mr Howard to hear the voices of my constituents, my fellow Canberrans and all other Australians.

I do not wish to appear blinded on this issue. I do not want people to think that I do not understand where Mr Howard is trying to lead our country. I do. Mr Howard is looking after big business. He is looking after the people that got him into power and have kept him in power for 11 years. He is making sure that over 100 years of protection for working families is being taken away. I have said before in the Assembly, and I will say it again, that I will keep going for as long as necessary until action is taken.

Mr Howard has moved the scales too far in favour of big business and, in doing so, has created a means for employers to exploit their workers' rights. How is this fair? I challenge any member of this Assembly to strip this down to the core principles of this legislation and tell me how this blatant disregard for workers' rights is fair. I use this opportunity on this day, May Day, to again voice the concerns of the working families of Canberra and the rest of Australia—that voice and this rose together.

Mr Smyth: Get your committee to meet so that they can talk to you.

MR GENTLEMAN: That voice: the voice of the worker; the voice of the average Australian, not Mr Smyth's voice; the voice of every man, woman and child. And this rose: this rose that burns bright of the human rights gained and barriers broken by collective workers; this rose that draws us back in its beauty and strength to the streets of Haymarket, Chicago; to the blood shed by the Haymarket martyrs on that day in 1886; to the blood shed in workshops today all round the country, all around the world, from workplace injuries; to the blood shed today in other workplaces all around Australia, including those in the ACT.

Mark my words: this day, this historic day, marks the beginning of the end for the despotic Howard government and its disgusting WorkChoices legislation. This day paves the way to the federal election where, upon his imminent victory, Mr Rudd will tear up John Howard's evil WorkChoices.

Industrial relations

Capital works

Hospitals—car parking

MR SMYTH (Brindabella) (6.10): I am not sure where Mr Gentleman lives, but I think there have been something like 170,000 new jobs in the last 12 months and there has been real wages growth of about 19 per cent since John Howard came to office. If I remember correctly, under 13 years of Labor it was about 1.2 per cent. So the workers are being looked after because of good governance, the good governance of the Howard government, something which we do not actually get in the ACT from the Stanhope Labor government.

You only have to look at the way they deliver capital works, particularly in the health portfolio. In March 2001, Michael Moore announced that we would build a stepdown facility at the Calvary Hospital. The money was in the budget in May 2001. How long did it take to be built under a Stanhope Labor government? How long was it before it was open for the people of your constituents in the Belconnen area, Mr Speaker? It

was six years. It did not open until February of this year. It was six years. That is good governance!

When will the retirement village project at Calvary that was approved in August 2001 by the cabinet of which I was proud to be a part open? We do not know because it has not finished; more than six years later it is still being built. Why? It is because of the poor governance of the government led by Jon Stanhope, the lack of attention to detail and the failure of ministers to drive their portfolios.

There is no better example, of course, than the health precinct that the former Minister for Health, Mr Corbell, proposed. He put out a press release on 20 September 2005 in which he said that they were going to build a mental health services precinct that would have 30 acute care beds, 20 adult acute care beds, 15 high-security beds and 20 acute care beds for young people. Where is that at? Remember, the press release was in September 2005. It is now May 2007, two years later. Have we seen a plan? Have we seen any progress reports on it? Do we see capital works reports that detail it? No, because of the ineptitude of the former minister and the failure of this government to deliver on capital works.

You only have to look at the last capital works report we have, which has \$300,000 in it for this project. How much of that have they spent? They have spent \$11,000. When will this health precinct open? What did Mr Corbell promise? He said that it would open in 2008. He has not delivered on this one. That is why he has lost his portfolio. It is because he does not deliver. He, like all the other ministers in this government, makes promises that he does not keep. Here we have a mental health precinct that is due to open, to have beds, to have patients being looked after, by some time in 2008, yet we do not have a cent for it in the budget for construction. We have not seen plans.

The current Minister for Health is the third health minister in six years under the Stanhope Labor government. There was Stanhope himself, followed by Corbell, followed by Gallagher. The current minister is the third health minister who has not delivered on capital works, because these beds will not be open in 2008. The health precinct will probably go the way of all of Mr Corbell's other pet projects—the en globo land release that he did not like, the busway that Mr Hargreaves has finally driven a stake through the heart of and, of course, the mental health precinct—as the government eradicates all of the memory, all of the pet projects, of Mr Corbell because of the bitter politics of the Labor Party.

The losers are the members of the public—the ill Canberrans, the sick Canberrans, the families, the friends and the people you know at work—who need this mental health precinct and who are not getting it. We have had stories recently of patients who are ill being sent home from the current psychiatric services unit because people who are even more sick need their beds. I have been approached in my office about people who were turned away because it was full. The current PSU is running at an occupancy rate of about 94 per cent, which virtually means that it is full. It is full all the time and we have an uncaring government which does not pay attention to the real issues in health.

If we go to capital works and look at things such as car parking at the Canberra Hospital we find that the Canberra Hospital, according to the FOI details I have, is

short about 1,500 car parks. What is the government doing about that? We need 1,500 across the campuses to ensure that people can get a parking spot. What is the government doing? It did put some money aside for a 500-space car park. Where is that? How much money has been spent on that? Here is the problem. We are coming up to the next budget, the budget next month, and we have not seen any activity or any action on the current car park, no action whatsoever.

We are getting the cart put before the horse. We put in pay parking when there is inadequate parking and then we say we will build the new car park. That is the level of governance of the Stanhope Labor government. The way that they deliver capital works in this territory is appalling. (*Time expired.*)

Alexander Maconochie Centre Death of Mr Pat Devlin

MR STEFANIAK (Ginninderra—Leader of the Opposition) (6.15): Speaking of governance, one of the classic examples of government waste, of course, is the prison, \$128 million. It was interesting to see some statistics recently which showed that the number of full-time prisoners was actually down to about 100, which means that there is a very significant extra bed capacity. Apart from the \$128 million, I saw some figures which indicate that it is going to cost \$19 million to run, as opposed to the cost at present of sending prisoners to New South Wales of \$8 million. That, clearly, is an instance not only of monumental waste and just wrong priorities at a time when the territory's finances are strapped but also, effectively, of bad governance.

I note with sadness the untimely death of Mr Pat Devlin, a well-known Canberra chemist. Mr Devlin was instrumental in the introduction of some very good pieces of legislation in the early days of this Assembly. He had a chemist shop in Garema Place for some 32 years. I think he still went in there in his later years and worked a few days a week. I do not think that there were many people in Canberra who knew Canberra and Civic as well as Pat Devlin did. He was very much an institution.

I fondly recall the occasion I first met him. It was in the First Assembly and he was of great assistance in organising shopkeepers and other customers to put together petitions in relation to unruly behaviour around Garema Place. There were large problems then. The efforts of Pat Devlin helped bring into force in the ACT sensible measures such as the move-on powers and the banning of the drinking of alcohol in the Civic precinct outside of licensed premises and within 50 metres of bus stops and the like. I greatly appreciated his efforts in terms of those sensible pieces of legislation and the other assistance he gave in the way of providing some good ideas to improve Civic and improve the amenity for ordinary law-abiding citizens, customers and anyone else, who went through that area.

I send my condolences to Pat's family. I think most of us here would have known Pat and virtually all of us would know his famous son, Geoff Devlin, of dragway fame. The family truly has contributed a hell of a lot to Canberra and Canberra has lost a very fine citizen in Pat Devlin. He was also very well known for his work with the pharmacy guild at both the territory level and nationally. We have lost a fine citizen and, on behalf of the opposition, I send my condolences to Pat's family.

**Capital works
Alexander Maconochie Centre**

MR MULCAHY (Molonglo) (6.18): I would like to follow up on the issues of governance and accountability that have been the subject of much discussion today, highlighted by the capital works matter that Mr Smyth just spoke about and the prison issued addressed by Mr Stefaniak. I made the comment yesterday, and I think it is very important to place it on the record, that there has been a change of direction in this territory by Mr Stanhope in terms of the regard given to this Assembly and to the issues of accountability. Mr Stanhope said today that the opposition here had suddenly woken up, having missed his capital works reports. In fact, there was a question going back as far as June of last year on which he signed off with the claim that these things are still being made available, which of course they are not.

I took the courteous approach—I am sure that does not always seem to deliver the best outcome here—of giving his office the benefit of knowing I wanted to meet and be briefed on why these capital works reports were not published. I put in that request on 26 March to Mr Stanhope's office. What happened? First of all, a long-established custom in this place has been to deal with a departmental liaison officer, a custom that goes back to Mr Quinlan's time when he was the Treasurer. It is a practice that Ian Wearing, when he ran my office, said was the normal practice prior to my election here. You would talk to the DLO and get a briefing. Suddenly, a political staffer has stepped into the equation and said, "You are not allowed to go through the DLO. You have to go through me."

Mr Hargreaves: Not in my time as a DLO.

MR MULCAHY: It is now the practice of Mr Stanhope's office. We have a situation where we have said, "All right, that is the way you want to run it, but we want the briefing. I want a briefing on capital works and I want a briefing on unencumbered cash and your treatment of it." That was on 26 March. It is now 1 May. Do you think we have got a result? No, we have not. This new change of direction is something that I had not seen in—

Mr Hargreaves: Were you in town?

MR MULCAHY: I was around. We had not seen that in 2½ years. I suspect that Treasury people are a little embarrassed by it. I had found in the past that normally they were courteous and professional, that you received the information, that they were not political events, and that they would deal with the facts—usually, it was on a bill that was coming forward—and we would move on. Suddenly, the Chief Minister gets up in this place and says, "What is the opposition on about?" He has been extended the appropriate courtesies. I know that he has taken on the jobs of just about everybody on the other side and I know there have been dramas, but the fact of the matter is that, if you cannot handle the job in this place, do not stay in the job. The proper opportunities were extended and they have not been observed.

On another matter in the same vein, just before we went into the latest adjournment the government brought in amendments to the Financial Management Act and the

Government Procurement Act and gave one week's notice. I am a reasonable person and, if somebody said to me that there was a crisis and we had to rush through legislation and my cooperation was needed, there would not be an issue. But that was being is very unreasonable. There were issues that were being raised. One of them had to do with a deficiency in the legislation which eventually was acknowledged, and others needed further review. We were told that that was bad luck. I asked for a reasonable amount of time to consider the legislation. It is a convention of this place that normally you would have three weeks at least, sometimes four. I have seen Mr Corbell, when he has wanted to significantly change legislation, withdraw it and say that the matter should be looked at at a later time to enable members to consider it. A new direction is coming out of Mr Stanhope's office.

My determination in relation to the matter of accountability is being coloured by these experiences and the very different direction that is starting to become apparent in terms of the way in which the Treasurer and Chief Minister is responding to reasonable requests for accountability and reporting to this Assembly, which, as I said earlier, has a statutory duty to scrutinise the affairs of government. That is what we do as an opposition. That is what I see as my role as shadow Treasurer. For umbrage to be taken at the fact that we do take that role quite seriously I find quite galling and quite extraordinary and it seems to reflect an unjustified level of sensitivity on his part.

Question resolved in the affirmative.

The Assembly adjourned at 6.23 pm.

Schedule of amendments

Schedule 1

Housing Assistance Bill 2007

Amendments moved by the Minister for Housing

1

Clause 101 (3)

Page 25, line 1—

omit clause 101 (3), substitute

- (3) The right or liability continues, subject to this Act, as if it were a right or liability under an approved housing assistance program.

2

Clause 101 (4)

Page 25, line 7—

omit

3

Proposed new clause 102 (2A)

Page 26, line 11—

insert

- (2A) However, a declaration made under subsection (1) must not—
- (a) for a right continued under section 101 (3)—reduce the right; or
 - (b) for a liability continued under section 101 (3)—increase the liability.

4

Clause 103 (1) (c)

Page 27, line 9

omit clause 103 (1) (c), substitute

- (c) the thing to which the decision relates is declared under section 102 to correspond to a thing (the *new thing*) under an approved housing assistance program.

5

Proposed new clause 103 (3A)

Page 27, line 18—

insert

- (3A) However, the administrative appeals tribunal must not make a decision that—
- (a) for a right continued under section 101 (3)—reduces the right; or
 - (b) for a liability continued under section 101 (3)—increases the liability.