



Debates

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Tuesday, 20 November 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.

Death of Judith Therkelsen
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 Judith Therkelsen, a long serving public servant in the ACT and a former member of the Chief Minister's Office and the Department of Disability, Housing and Community Services, and tenders its profound sympathy to her family, friends and colleagues in their bereavement.

Mr Speaker, like many Canberrans, I was saddened to learn of the recent death of Judith Therkelsen; it was so sudden. The day before she died, Judith and I spent a typical working hour together when I officially opened the Seniors Day Expo at Gorman House, which she had organised.

As head of the Office for Ageing in the Department of Disability, Housing and Community Services, Judith had been doing her usual conscientious job in the administration of an area that also happened to be very close to her heart. On this day, as always, she was warm, gracious and more than a little excited to be actively involved in running an event that gave every participant a lot back in return.

Of course, for well over three decades, Judith had applied herself with equal dedication to a range of important public sector areas. She was an exemplary public servant who will be sorely missed by her colleagues in her present department, and all those who worked closely with her over the years.

Judith began her career in the Department of Defence in 1972—the year the Whitlam government was first elected—as a steno-secretary or typist. Her probationary report is testimony to the fact that she immediately impressed both her bosses and her workmates, being described as steady and reliable, working well under pressure, getting on with everyone, and capably handling the more difficult and challenging tasks within the office. Such assessments recurred throughout her working life, but they strengthened, and grew more resonant, as her career blossomed and her prodigious talents began to be more effectively tapped.

In time, Judith moved to the Tertiary Education Commission and the ACT Schools Authority, where she began as a personal secretary and then moved through various positions to become the head of the ministerial liaison executive support unit. Here, Judith made an enormous impression as an officer capable of taking in her stride

anything thrown at her. She would go on to serve in a number of manager and senior manager positions in the ACT public service, in the department of education, in the Chief Minister's Department, the Chief Minister's Office and, as I said, most recently in the Department of Disability, Housing and Community Services.

In the Chief Minister's Department, she exercised her skill and her talent in a range of areas, but it was when she took up the role as a departmental liaison officer in my office that my staff and I were able to fully and truly appreciate her many endearing qualities.

Judith had a wonderful sense of connection with everyone she worked with and encountered. Those who had just met her instantly liked her. She drew people to her, she encouraged them, she shared her wisdom and experience willingly and, most importantly, people knew she enjoyed being with them. Several of my staff in recent days have fondly recalled Judith's infectious, unforgettable laugh which, with her remarkable ability to empathise with all around her, could bring humour, common sense and foundation to the most trying situation.

In the Office of Multicultural Affairs, she established a reputation as a strong, highly motivated supporter of multiculturalism who worked hard to alleviate the plight of refugees and migrants. But this same dedication to and passion for the job in hand were equally at work when Judith was based in the bushfire recovery secretariat and in community liaison and Indigenous affairs, where she first applied herself to policy pertaining to older people in the ACT.

This was exactly the right job at the right time: when she was promoted not too long ago to the position of head of the Office for Ageing, she was absolutely at the top of her game, totally committed to making a difference in both a policy and a program sense. There are many government documents that bear Judith's stamp. All displayed her excellent writing ability, her deft drafting skills and, above all, her acute intelligence. She was, in the later part of her public service career, a catalyst for meaningful government policy.

Judith's commitment to providing the best possible service to ministers and the ACT community never wavered, whether she was working in ministerial liaison, in my office, in the cabinet office or in the Department of Disability, Housing and Community Services. Recognised throughout her career as a compassionate supervisor and mentor, Judith was treated with the highest respect and admiration. She was a professional who exhibited impeccable judgement—someone who leaves a unique legacy for those in the ACT public service.

I am well aware that, across the territory and the Assembly, colleagues were shocked when they heard of Judith's sudden death. The immediate outpouring of tributes demonstrated not only the depth and breadth of her influence but the immense affection and respect she generated in those with whom she worked over her 35-year career. She was someone who loved the workplace and who was loved in the workplace.

I ask all members to join me in expressing our sympathy to Judith's family, many of whom are in the chamber today, most particularly her husband, Rod Olsen, and her

stepsons, Chris Olsen and Scott Olsen. Judith was one of a kind, a fine person who will be missed by all who knew her.

MR STEFANIAK (Ginninderra—Leader of the Opposition): On behalf of the Opposition I rise to express our condolences on the passing of Judith Therkelsen. Judith passed away suddenly, as the Chief Minister said, at the young age of 54. She was a longstanding public servant in the ACT. Before her untimely death she was in a very senior position in the Department of Disability, Housing and Community Services.

Amongst other things, Judith had been a member of the National Accreditation Authority for Translators and Interpreters, and she was involved in a very wide range of social justice matters, including a roundtable conference on cultural diversity in 2003, which drew together people from right across the country. She was also a director of the ACT Office of Multicultural Affairs.

Before joining the ACT government just before self-government, she also had a very long and exemplary record of service in the federal government, which the Chief Minister has outlined. On coming into the ACT public service, Judith worked in the ACT Schools Authority. She then worked her way through a number of positions in the Department of Education and Training, before joining the Chief Minister's Department and, more recently, the Department of Disability, Housing and Community Services.

She was highly respected amongst her peers. She was a consummate professional. She kept everything in balance with good humour and an infectious laugh. She will be greatly missed as a dedicated and committed public servant who has made a very significant contribution to the life of Canberra.

To lose a much loved and respected family member, work colleague and friend is always an occasion for sadness and grief. But I hope that those who knew and loved Judith will remember the happy times and the very positive things she achieved for her fellow citizens. On behalf of the opposition, I extend to her family and friends our sincere sympathy.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women): Today I would like to formally acknowledge in the Assembly the loss of Judith Therkelsen, who was part of the Department of Disability, Housing and Community Services, and to remember her contribution to the ACT community.

The Chief Minister has spoken about Judith's contribution as a policy maker and a person who shaped our community. Her record of exceptional work over such a long period in Canberra's development is well known. She chose a career in the ACT public service because she believed strongly that it would provide an opportunity for her to make a real difference, and the entire community benefited from her passion and experience. Her working life covered various roles in the ACT public service—in supporting government, in education and in the Office for Ageing. What stands out in all those roles is Judith's unwavering commitment to the people she worked for and with.

She was a woman who took the responsibility of leadership and mentoring very seriously. The Chief Minister spoke about her laugh and her calm and caring manner. The public sector is filled with people who have experienced, in one way or another, Judith's graciously given support. In the stories we have heard about Judith, it is clear that for three decades she supported and mentored those around her on a daily basis. She was a prominent and effective female leader. She provided an important role model for the female leaders who will follow her. You cannot underestimate the influence that strong leaders play as mentors to their workforce.

Something that strikes me about Judith as a public servant was the way she encouraged people to reach beyond their limitations. She had a knack of giving opportunities to people to learn to do something new and to take on a challenge—and to give support, when required. This is one of the intrinsic qualities of a mentor and a leader. I think that Judith herself would be somewhat uncomfortable with this description, and quick to remind us that she was but a cog in the wheels of government. There is no doubt that she kept the wheels of government moving, and contributed to the ACT as a self-governing community. Importantly, though, she showed her skill as a public servant in ensuring that her team members had the opportunity to understand why their commitment was valued and why they must always strive to do not only their best but the best for the community.

Judith worked hard, but always had time to provide some crucial piece of advice to her colleagues, to give a sound perspective that often made all the difference, and to enjoy their company. It was not her style to rattle cages, but if Judith had a particular outcome in mind, it could be well argued, and it was hard to deny the sense of her proposal.

I stand today to pay tribute to Judith. She was a woman who relished the opportunity to make a difference, whether it was in the lives of senior Canberrans through the Office for Ageing, in the way we support refugees or in the support of her ministers. For all of this, her outstanding legacy is as someone who lived the values of leadership in every action, and who remains an example to us all.

An unexpected death at a young age is in one way harder to come to terms with than one where there is warning. There are no goodbyes, and no chance to reminisce or to share memories. I say to Judith's family, who are with us today, that I hope our words today and over the past weeks demonstrate to you that Judith was loved and respected in her working life as much as I know she was in her family life. Canberra is poorer for the loss of Judith but much richer for the contribution she made to the lives of people she touched, and her contribution to the public sector will be ongoing.

MR HARGREAVES (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs): I rise to add my voice to that of the Chief Minister, the Deputy Chief Minister and the Leader of the Opposition in saluting the life of Judith Therkelsen.

Everything that has been said thus far about Judith's contribution to the community and the public service has been absolutely spot on the money. I wish to add my

comments from two perspectives. I was the Minister for Disability, Housing and Community Services and had the benefit and the joy of an association with Judith in that official capacity. Also, I worked in the department of education when Judith worked there as well.

I worked in the public service, in the service of the ACT, for just short of 30 years, at the Commonwealth level and predominantly at the ACT level, in the ACT public service. You meet along the way some people who are pretty ordinary public servants. You also meet along the way some people who are extraordinary public servants. You meet along the way some people who are extraordinary human beings as well as being extraordinary public servants, and Judith Therkelsen was one of those people.

She did not have the faintest idea what effect she had on the people who worked around her. She was that kind of person. She had no idea of the value that people in a more senior position to herself, and as far up the line as the minister, would place on her opinion and what she had to say. I think it is a good idea, on occasions like this, to say that, and I do so willingly.

I can tell you, Mr Speaker, that, in the public service, in this particular place and in the ministry, it is a supercharged life. The Leader of the Opposition would know that, because he was the minister for education when Judith worked there. There is a supercharged atmosphere in the Assembly when we deal with some of our senior public servants and the problems that we confront. But I never saw Judith Therkelsen in a flap; I never saw her taken away by the occasion or flummoxed; I never saw that. What I saw was a very considered and professional public servant who, when she left my office, left behind memories of her infectious smile. That smile, on more than one occasion, gave me enormous strength when I would make a speech within the multicultural community and I was a little unsure of how that speech would be received.

We need to acknowledge Judith's contribution to where we stand in the ACT. In my view, we stand at the centre of the multicultural success in this country. As Mr Stefaniak said, Judith made an enormous contribution to where we are at within the Office of Multicultural Affairs. I know this because I am very close, on a personal level, to the officers in the Office of Multicultural Affairs, because we share that commitment. So I also speak in this place on behalf of those officers, who miss her dreadfully.

To the family, to Rod, I say this to you: you had one of the most magnificent people the ACT has ever spawned. Goodbye, my friend.

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

Legal Affairs—Standing Committee Scrutiny report 48

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

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 48, dated 19 November 2007, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR SESELJA: Scrutiny report 48 contains the committee's comments on 29 pieces of subordinate legislation and four government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Duties Amendment Bill 2007

Debate resumed from 18 October 2007, on motion by **Mr Stanhope:**

That this bill be agreed to in principle.

MR MULCAHY (Molonglo) (10.47): The opposition will be supporting this bill, which imposes an anti-avoidance measure into the Duties Act as part of the removal of duty on short-term leases. This bill was made as a consequence of the repeal of lease duty in the ACT, which is a reform undertaken as part of the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations. This agreement sets out a host of reforms to be made as part of the introduction of the GST. It requires the repeal of several taxes and the review of several others with a view to further tax reform. The agreement also allows jurisdictions to enact anti-avoidance provisions to protect those remaining taxes which are not within the scope of the agreement.

The repeal of taxes under the intergovernmental agreement has been proceeding slowly and, unfortunately, has somewhat been undermined by the introduction of new taxes within this territory. This is an issue that I have been quite vocal on in this Assembly as I believe that the ACT government has been dragging its heels on agreed-upon tax reform and certainly not living with the intent or spirit of the agreement it signed. In any event, from 1 July 2009 leases in the ACT will no longer be dutiable. However, long-term leases—that is, those over 30 years—will remain dutiable, and this is based on the principle applied under the Duties Act that such long-term leases are considered to be essentially de facto transfers of property.

This bill amends the provisions for duty on long-term leases to ensure that, after the removal of short-term lease duty, lessors are not able to escape duty on long-term leases by using consecutive short leases to associated parties for substantially the same land in order to construct a non-dutiable de facto long-term lease.

This is essentially an anti-avoidance provision designed to ensure consistency in the application of taxation laws. I have been advised by Treasury officials that there have not been any previous instances of this kind of avoidance being attempted, but I am

satisfied from the briefings that have been provided to my office that there is unlikely to be any unfair effect from this change. Indeed, it is highly likely that there will be no effect at all, as this does not appear to be an area where taxpayers have attempted to reduce their liability.

I must confess that I am always somewhat sceptical of alleged anti-avoidance measures. It is my view that taxpayers quite rightly do the best they can to minimise their tax liability, though I do not support avoidance, and it is the government's somewhat ravenous appetite for their money which is often the driving force behind the kinds of ingenious tax schemes we occasionally see pop up in this country.

Nonetheless, it is also sensible that we maintain consistency in tax laws and avoid unintended loopholes, whether they be in taxation or other legislative reform. This ensures that a person's liability is not determined by such an arbitrary criterion as the ingenuity of their tax adviser, tax lawyer or accountant. In view of the fact that long-term leases remain dutiable property under the Duties Act, it is sensible, for the purposes of consistency and to avoid arbitrariness, that *de facto* long-term leases based on consecutive short-term leases should be treated identically.

Although I support this bill, it is quite startling to note the swift and effective response of this government to possible tax avoidance issues that have never arisen before, whilst at the same time it seems to drag its heels and make something of a mockery of the tax reform principles that were embodied in the GST reforms. When it comes to reducing territory taxation and faithfully implementing the reforms in the GST agreement, the government really does take its sweet time. It pushes the time for removal of taxes further and further into the future, in concert with its colleagues interstate, while at the same time rapidly introducing new taxes that really cut completely against the spirit of that agreement. Yet, as soon as it notices any prospect that someone might pay less tax, even through a hypothetical avoidance measure that has never been seen in the ACT, it immediately springs into action and we have a bill before the Assembly in record time.

I often complain of this government being inefficient, and indeed in such areas as our public hospitals, public transport and territory owned corporations they have provided abundant evidence to support this view. But, regardless of how badly some of these core services of government may be, this bill does go to demonstrate how efficient and industrious governments are when it comes to finding a way of collecting people's money. On this issue I have to acknowledge that they excel.

I sincerely hope that there will be some further progress on tax reform in this territory. While the government has grudgingly complied with some of the mandatory aspects of the GST agreement, it has certainly destroyed any serious pretence of substantive tax reform. Contrary to the spirit of the GST agreement, to remove wasteful state and territory tax measures, the ACT government has in fact introduced new taxes to replace the old and to ensure that Canberrans are still paying through the nose for services the like of which should have seen state and territory taxes disappear rather than the nature of them simply changing.

In summary, though, the opposition will support this measure. I do want to put on the record my appreciation for the briefings provided by the Treasury officials and the

minister's office and also the speedy response that they provided this morning when we had some outstanding questions on this particular legislative measure which they were able to quickly deal with this morning before the Assembly came into session.

DR FOSKEY (Molonglo) (10.54): I too will be supporting this bill. I just want to start by thanking the officials for the explanatory statement which came with this bill. It is always good when explanatory statements achieve their purpose and provide the members and our staff with assistance in interpretation. People will be aware that this is an issue that I harp on about a bit and that the scrutiny of bills committee talks about quite a lot. This is an exemplary explanatory statement and I congratulate the legislative drafting unit and the government for ensuring that they up the act on these very important documents.

It is no surprise that I usually express the view that laws imposing monetary penalties, duties, charges and taxes should, wherever possible, be used as both carrots and sticks to encourage environmentally and socially responsible behaviours. I do think there is a role for territory taxes. I believe that in our jurisdiction where we have very few ways of raising revenue—and I am sure that we at times wish to have less dependence upon federal government funding—we will always need taxes. But I do believe that they can perform policy functions as well.

In relation to this bill, perhaps the duty on long-term leases should be able to be deferred, similarly to the duties provision of part 2.6A, if the transferees met some set criteria. Such criteria could include committing to lodging an environmental covenant on their land, for instance, if it is a rural property, to rehabilitate and preserve habitat or to install a certain amount of photovoltaic geothermal or thermal mass technologies. This is probably not the bill to achieve these effects, but I hope that the government and the public service will look harder at future revenue bills to see if we can work such mechanisms into them.

It is good that this bill takes a proactive approach in clarifying the scope of the remaining duties obligations, and this is particularly appropriate in terms of the amendments to section 10 (1) clarifying what duties apply to new leases granted on surrender of a lease and extension of an existing lease to the original lessee. Similarly, with new sections 17 (6A) and 17 (6B), while it could be argued that provisions that purport to impose similar duties twice on the same transaction are unnecessary, it could take many thousands of dollars and wasted public resources to prove that that is the case. Of course we do not want to be responsible for creating a lawyer feeding frenzy by passing unnecessarily ambiguous legislation. This bill is commendable in taking a cautious approach by clarifying areas that could otherwise lead to wasteful legal argument in the future. Consequently the bill has my support.

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) (10.57), in reply: As previous speakers have indicated, the Duties Amendment Bill 2007 amends the Duties Act 1999 to reinforce existing anti-avoidance measures where they relate to business or commercial leases in the territory. The bill has two measures. Firstly, it provides greater certainty regarding long-term leases and, secondly, it strengthens the anti-avoidance provisions relating to the expiry of chapter 5 of the Duties Act.

The background comes from the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations, the IGA, which required all states and territories to undertake a review of their respective taxes. As a consequence of the ACT review, the Assembly passed legislation last year to amend the Duties Act so that duty on commercial lease instruments under chapter 5 of the act will cease on leases commenced on or after 1 July 2009.

The treatment of duty on long-term leases is assessed under chapter 2 of the Duties Act, and this duty has not been abolished. Long-term leases are charged at conveyance duty rates because they effectively provide control of the land and equate to a de facto transfer of the land. As defined in the Duties Act, a long-term lease is one for a term of longer than 30 years, and the time period includes any options for renewal.

This bill broadens the definition of a long-term lease to include certain lease structures that may be manipulated to disguise what is in effect a long-term lease. The bill clarifies that a long-term lease may be engineered by means other than the use of options. To try to prevent parties acting together to defeat the legislation, the bill also ensures that the grant, holding or surrender of a lease by a person includes any such arrangements undertaken by an associated person.

One method of manipulation to avoid conveyance duty is to surrender an existing lease and take out a new lease over substantially the same property. Another is to vary the terms of an existing lease to extend the original term beyond 30 years. The extended time period can be achieved by one or more such surrenders or variations. These long-term leases will now be assessed at the conveyance rate of duty. In fairness to the lessor, and to ensure there is no double duty, the lessor will be entitled to a credit of any duty already paid under chapter 5 of the Duties Act prior to its abolition.

If a lease is surrendered and another lease is granted which creates, by definition, a long-term lease, it is possible that the land being leased is not identical to that of the surrendered lease. It may be that the new lease is for more or less land than the original lease. When calculating conveyance duty on the long-term lease, the unencumbered value of the dutiable property will be that portion of the land that is held for longer than 30 years. Any land that is part of the long-term lease but will be held for 30 years or less will not be included in the unencumbered value for duty purposes.

The transitional provisions have already been incorporated into the act to ensure consistent and equal treatment of lessors both before and after the abolition of the duty. The bill includes amendments to strengthen the transitional provisions for the expiry of chapter 5.

Under the act, duty continues to be payable on an arrangement that is made prior to 1 July 2009 that has an execution date purposely delayed until after the abolition date. The bill clarifies the provision to ensure that an option for renewal that is similarly delayed with the main purpose of avoiding duty is also included.

The act currently permits a refund of duty paid if the lease is terminated early. The refund is only available in cases where a new lease is not taken up by the same or an associated person. The bill narrows the condition for refund so that it is not available in cases where the new lease is for substantially the same property as the terminated lease. This measure is a deterrent against terminating one lease and structuring a second slightly different lease just to contrive a refund of duty.

I would like to remind the members of the Assembly that these measures are in accord with the IGA which allows the introduction of anti-avoidance measures to protect the remaining revenue base after the abolition of a tax.

I thank members for their support of the bill. But I do find it quite remarkable that the shadow Treasurer presents a policy position of immediate abolition and of not seeking to prevent the avoidance of taxation—a very, very sloppy and lackadaisical approach to the territory's finances, if I may say so. You have a remarkable position being presented by the shadow Treasurer, on behalf of the Liberal Party, in relation to the IGA when he stands today and says that, had the Liberal Party been in government now, accepting the arrangements that were made as a precursor to state and territory agreements—the IGA in relation to GST—he would willingly forgo the revenue that the taxes to be abolished present.

Why would you do that, for goodness sake? Why would any government do that? No government in Australia ever have, but an ACT Liberal government would have, in the view of Mr Mulcahy, willingly forgone revenue that they were not required to forgo as part of the package of measures agreed in relation to the introduction of a GST in Australia. Mr Mulcahy presents what he says as a formal Liberal Party position.

Having signed up to the GST, the ACT, along with all the states and the Northern Territory, agreed to a process of removal of a range of existing taxes, including this. It was agreed that a timetable would be agreed, and the timetable has explicitly been accepted by Peter Costello, the federal Treasurer, on behalf of the commonwealth, as consistent with the IGA. But the Liberal Party present this remarkable position today that they would have moved to abolish all of these taxes immediately. There would not have been a need for any avoidance measures because the Liberal Party would have abolished them immediately. We would have gone for the last five years without the revenues—and it is tens of millions of dollars of revenue we are talking about.

Mr Mulcahy: You twist things.

MR STANHOPE: I am not twisting a thing. The shadow Treasurer is now embarrassed at the obvious or logical conclusion of the comment that he made—that he cannot understand why the territory and the states did not agree to abolish these taxes immediately; why there was a need to delay; why we did not, in the words of the shadow Treasurer, “move immediately” to forgo this revenue; and then having agreed, in his words or in his sense, to reluctantly proceed to abolish these range of taxes, why we did not then go the further step of putting in place measures that would have prevented the tax being avoided. Mr Mulcahy then pretends to seriously suggest that

there was no need to do this—that you can trust all taxpayers all the time. He said in his speech today, “I don’t know why you are bothering to do this—that you can’t trust the taxpayers of the ACT to not seek to manipulate their property arrangements so as to avoid this particular tax.”

It having been foreshadowed to be removed by 2009, Mr Mulcahy thinks that nobody is going to play funny games or silly buggers with this; they will all just continue to pay the tax that is due until the day that it is abolished; they will not put in place arrangements that would perhaps lessen their tax obligation. Pull the other one! Have you ever heard anything so ridiculous as the shadow Treasurer, the person who would be the Treasurer, saying that there was no need to put in place measures that would ensure that the foreshadowing of the removal of a tax in a couple of years time would not have excited the interests of the accountants, company managers and company secretaries—that they would not put in place measures, legitimate and lawful, but for this particular piece of legislation to avoid the paying of a tax. What a joke! What a joke!

The serious aspect of the joke, of course, is to the extent that it sends a signal about how a Liberal government in the ACT would operate or behave. It shows a completely cavalier attitude to the revenue base of the territory. You would not put in place anti-avoidance measures if it impacted on your constituents, the business sector—because they can be trusted. They can be trusted to vote Liberal, Mr Mulcahy thinks, particularly if you send all these sorts of signals that in government you would not suggest through a piece of legislation that they might put in place schemes or arrangements that would allow them to avoid a lawful obligation to pay tax.

The message that comes from Mr Mulcahy today is that this is how a Liberal government would behave and operate were it ever to win government again in the Australian Capital Territory: “In the first place, to the extent that we need to tug the old forelock whenever we are around Peter Costello, we would have just signed up to the immediate abolition of all of the IGA range of taxes. We would have shown the appropriate deference. We would have got rid of them all. We would have forgone tens of millions of dollars of revenue, and then to the extent that we foreshadowed down the track the abolition of a tax we would not have done the tawdry thing of putting in place anti-avoidance measures because you can trust people not to play fast and loose with any sort of scheme or arrangement that would have allowed them to avoid paying a necessary tax.”

Having said all that, I thank the Liberal Party and the Greens for their support of this sensible piece of legislation—and it is revealing. I must say I am always pleased and glad when in a presentation such as this morning’s Mr Mulcahy again sets out another piece of essential Liberal Party philosophy or ideology in relation to issues around revenue, the revenue base, the need to secure it and the attitude that a Liberal government in the ACT would take to securing our revenue stream and base; the steps—the enormous, extraordinary steps—that he would take to allow a constituency that he is seeking to curry favour with to avoid their lawful obligations. The revealing part of the debate today is the ideological position that will be adopted by the Liberal Party if they ever, ever achieve government again.

MR MULCAHY (Molonglo) (11.08): Mr Speaker, I wish to make a statement pursuant to standing order 47. The *Hansard* will show that during my speech I made it very clear that the Liberal Party are opposed to tax avoidance measures. I did not say that we supported them. I simply indicated that Treasury had advised that there had been no instances of tax avoidance, even though this bill was brought in, and that it was a hypothetical scenario. I also indicated that we were supporting the legislation, and I think the Chief Minister has significantly misrepresented the statements that I have made to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Statute Law Amendment Bill 2007 (No 2)

Debate resumed from 27 September 2007, on motion by **Mr Corbell**:

That this bill be agreed to in principle.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (11.10): I think probably it would be almost impossible for the attorney to misrepresent what I have got to say in relation to this, although you never know. This bill must be about the 25th in a long line of statute amendment bills to make minor, non-controversial changes to legislation—things picked up by parliamentary counsel or proposed by them; picked up by government departments; technical amendments; also repeals of redundant legislation. Basically this bill does all of that in a thoroughly—I was going to say “pedestrian way”—efficient way because it is non-controversial.

I see the parliamentary counsel up there—Mr Dalton and his colleagues. The only things the attorney highlights, in fact, are specifically non-controversial; they are merely examples of where legislation is superseded by other pieces of legislation. He specifically mentions the Environment Protection Act; schedule 1 contains five amendments to that. The first two are meeting a redundant provision. The last three are also redundant and there are some further omissions because of another act picking up what that act actually did. So there is absolutely nothing controversial here and of course the opposition will be supporting these sensible amendments to our legislation.

DR FOSKEY (Molonglo) (11.11): The explanatory statement to this bill states that the amendments are minor or technical, non-controversial and for law revision purposes only. My reading of the bill makes me confident that I can take the government at its word on this matter. The amendments update, simplify or clarify the meaning of the laws they affect. Again I congratulate the Office of Parliamentary Counsel for its excellent work in identifying and rectifying the language used in so

many of the ACT's acts and legislative instruments in line with the amendments required under the Legislation Act. Again I and my office thank you for the detailed content of the explanatory statement to this bill, which I will be supporting.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services) (11.12), in reply: I thank opposition and crossbench members for their support of this bill. As members have noted, this is simply part of the ongoing yet important work of revising the ACT statute book to ensure that it remains contemporary, up to date and accurate. The amendments provided for in this amendment bill are certainly non-controversial. The Leader of the Opposition has indicated the range of issues that are considered by this legislation and I thank members for their ongoing support for this program.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 11.13 am to 2.30 pm.

Questions without notice Children—sexual assault cases

MR STEFANIAK: My question is to the Attorney-General. Attorney, the *Canberra Times* last Saturday reported, in a story headed “Call for law reform as child made to testify”, that you “expressed enormous sympathy” for a seven-year-old girl called to give evidence at a trial over an alleged sexual assault. The story also noted that other jurisdictions in Australia did not require child victims to give evidence more than once and that pre-recorded interviews are admissible in court. I understand in this case too that both the defence and the prosecution were happy to have a pre-recorded interview tendered but that that was deemed impossible.

Minister, you have also recently announced some reform measures in this area, and those were widely lauded, including by me. Unfortunately, the reforms did not include any immediate reform to the giving of evidence by victims, despite the police and the DPP bringing this problem to the attention of the government in March 2005.

Attorney, there have been a number of cases in court this year highlighting the problem of victims of alleged sexual assault having to give evidence more than once. Given that other jurisdictions have already amended their laws in this area, why can't you?

MR CORBELL: I thank Mr Stefaniak for the question. This government has been proactive on the issue of addressing the level of support available to victims of crime insofar as it relates to sexual assault. The government has made very clear what its approach will be on this matter. We are committed to significant law reform to

address these issues around victims of sexual assault having to give the same evidence on multiple occasions. But I have already indicated, in response to previous calls from the opposition—and I am happy to reiterate it today—that the government will not engage in piecemeal, ad hoc changes. We have announced—in fact, I announced just over a week ago—over \$200,000 worth of funding, as part of a \$4 million package, to fund the positions needed to undertake the law reform proposals, to prepare the changes, to prepare the legislation and to put it to this Assembly. So that is what the government is going to do. We will reform these laws and we will do it as part of an overarching package of reforms in terms of the law and in terms of court procedures to ensure that these issues are addressed.

My time frame is in the order of the middle of next year to have those reforms here in the Assembly but piecemeal and ad hoc reform is not going to address these issues substantially.

Opposition members interjecting—

MR CORBELL: I find it enormously hypocritical of those opposite to be critical of the government's response on this matter. They were as aware of these issues as we were—

Opposition members interjecting—

MR CORBELL: and they did not legislate. Mr Stefaniak did not legislate when he was Attorney-General to address these issues.

Opposition members interjecting—

MR CORBELL: You were Attorney-General, Mr Stefaniak. Did you legislate to address these issues?

Mr Stefaniak: And you were the government in March 2005, minister; we weren't.

MR CORBELL: No, you did not. Mr Stefaniak, when he was the responsible minister, did not legislate. This government is acting—

Mr Stefaniak: The police and the DPP brought it to your attention in 2005.

MR SPEAKER: Order! Mr Stefaniak, cease interjecting, please.

MR CORBELL: This government is acting on this issue. A \$4 million package was announced by me just over a week ago which deals with the issues of being able to give evidence remotely through television and audio link, including an offsite witness facility. We have provided additional support to victims of crime. We have provided additional prosecution support to the DPP and the police. We are demonstrating our commitment in real and concrete terms. In addition to that, we are funding the development of a comprehensive law reform package, which the government will put to the Assembly, which will address the broad range of issues that affect the ability of a victim of sexual assault to give evidence in court.

It is more than just the giving of evidence; a range of other issues needs to be addressed as well around court procedure and around other elements of the law, and this package will deal with all of those. The issue that Mr Stefaniak highlights is only one of the matters of concern. But again I simply put the question to the Assembly: if Mr Stefaniak was so concerned about this issue when he was Attorney-General, why did he fail to do anything about it?

MR SPEAKER: Supplementary question, Mr Stefaniak?

MR STEFANIAK: Thanks, Mr Speaker. I wish the minister would listen. I actually said March 2005 when it came to attention. But my supplementary is: minister, how many more cases like this are needed before you will take action, piecemeal or otherwise, to change the law to help victims and why not merely uplift the New South Wales laws, which seem to work perfectly well and which you actually use in other areas of the law to cover the ACT when necessary?

MR CORBELL: It is a hypothetical question, but in response I could ask the same question of Mr Stefaniak: why did he fail in all the years that he was Attorney-General to give any consideration to this issue and to act to reform the law?

Mr Smyth: I have a point of order, Mr Speaker, under standing order 118 (b). The question was not about what Mr Stefaniak did; it was about what Mr Corbell did. Perhaps he should come to the question.

MR SPEAKER: Order! Welcome back, Mr Smyth.

Health—compensation claims

MRS BURKE: My question is to the Minister for Health. Minister, on 27 September 2007, I asked you, via a question on notice, for details of the broad categories of contingent liabilities to which ACT Health is subject. On 27 October 2007—that is, one month later—you provided me with the following advice:

It is not possible, in a reasonable amount of time, to break down the figures into medical negligence related claims and other categories as suggested.

Minister, on 8 November 2007, you were able to advise the *Canberra Times* that—and I quote:

The number—

that is referring to the number of claims for compensation—

included people suing the health system, people who had indicated they might do so and cases where the authorities thought a person might sue.

Minister, why could you provide details of these matters to the *Canberra Times* but not provide those same details to a member of the Assembly?

MS GALLAGHER: Quite simply, because the *Canberra Times* asked me what could make up the reasons for the categories. That was the question that I was asked by the journalist. In the question from Mrs Burke I was asked to break the information down. I said that would take a long time. I did not see that that would assist anything. If Mrs Burke had asked what possibly could make up the categories of this potential liability, I would have given her the same answer—that is, it could be a range of things. It could be anything from the staff reporting something through RiskMan to a member of the public falling over in the front doors of the hospital. It could be about complaints around treatment; it could be a whole range of things. With respect to breaking them down into categories, I think I remember signing off the answer to the question by saying I was unable to provide that in the time allowed under the standing orders for answering a question on notice.

MR SPEAKER: Do you have a supplementary question, Mrs Burke?

MRS BURKE: Thank you, Mr Speaker. Minister, what is the current status of compensation claims and any associated liabilities that have been lodged with ACT Health?

MS GALLAGHER: I am sure I have either answered that for Mrs Burke or it is in another question on notice I have seen that Mrs Burke has put on the notice paper recently. I will take some further advice on the matter, but I think you have asked me that, it is on the notice paper or I have given you a reason why we can't provide that information as accurately as you have sought. That could be for a range of reasons, because some of the potential liabilities are things that may not even eventuate. Now, in the health system, we have implemented the RiskMan system, which means that every little incident in the hospital is noted on the system and could be forwarded to ACTIA as a potential liability facing the health system. I am not sure we can give you exactly what that figure would be, but I will take some further advice on that.

Schools—early childhood

DR FOSKEY: My question is directed to the minister for education and concerns the impact of the decision to restrict a number of primary schools to students zero to eight years. In the light of information that enrolments at some of these schools are falling—for instance, Isabella Plains started the year with 19 classes, which fell to 15 during 2007, and is reportedly down to nine classes next year, prior to it becoming a zero to eight school in 2009—would the government consider changes to the strategy so that these local schools could remain viable?

MR BARR: I thank Dr Foskey for the question. No, the government has put in place a network of early childhood schools to commence in 2009. We are providing a new education model in the ACT, just as we made changes in the 1970s when year levels were changed. For example, Dickson high school, which was seven to 12, became an 11 to 12 school in the 1970s. Year levels at schools can change in line with a renewed focus in that particular school environment.

It is not unusual for year levels in schools in the ACT education system to change. We have proposed a network of five early childhood schools providing a new set of

services, providing a focus and a one-stop shop for services for children from zero to eight. Based on the success of and the full enrolment—100 per cent enrolment—and waiting list for the early childhood school currently operating in O'Connor, the future projected enrolments for these new early childhood schools, together with a \$10 million investment in the establishment of these schools, we are very confident in providing a new education model based on investment in the early years of school.

All of the national and international research shows that investment in those early years can lead to significant educational, social and economic improvements for students and families. Against that backdrop, we are determined to expand our provision of early childhood schools in the ACT. It is interesting to note that there are other schools in the ACT system in the non-government area that are moving into early childhood education provision. There are infant schools operating with preschool to year 2 arrangements in both the government and the non-government system and they are operating very effectively.

Through the investment of \$10 million in the upgrade of these new facilities, we look forward to providing world-class early childhood education. Yes, it is a new model. Yes, it is an innovation in education. But I believe that it is fundamentally important to the long-term future of our education system to offer diversity and to offer to families with young children a one-stop shop for services: to co-locate service provision, childcare centres and a range of other family services with these zero to eight schools.

It is a new education offering in the ACT. It is an expanded education offering building on the work that has already been done in the early childhood sector and so successfully at the O'Connor Cooperative School. We look forward to building on the enrolments in these schools. It is important that we are innovative, that we respond.

With the election of a Rudd Labor government this Saturday, we will see the injection of hundreds of millions of dollars into early childhood education and a guarantee of 15 hours for preschool students. This is building on the 12 hours already offered in the ACT system, with additional commonwealth support and additional investment in early childhood education. It is crucial to the future of our city. We look forward to working with the incoming Rudd Labor government to deliver outstanding results for early childhood education in the ACT.

DR FOSKEY: Mr Speaker, I have a supplementary question. Will Mr Barr broaden his reliance on international experience and on one local school, and monitor and consider the results of this policy on the ground in the ACT and provide the community with the schools that they think are best for their children?

MR BARR: I thank Dr Foskey for her interest. It is concerning that the Greens are already adopting a negative approach to this new and innovative offering for early childhood education. We look forward to building on this in the years ahead. As I say, a partnership with a federal Labor government in delivering additional resources for early childhood education will be very important in the delivery of this project and moving forward. We have established a framework working across multiple agencies—involving community services, health and disability services; partnering

with education—to deliver something new and innovative to build on the success that we have already here in the ACT.

Look at examples elsewhere in Australia such as the school in Enfield in Adelaide, South Australia, which the ministers for education and early childhood had the opportunity to visit last year. There are successful working models here in the ACT and elsewhere in Australia. There is clear national and international research that backs investment in early childhood education.

It is disappointing that the Greens are not supporting this. However, I hope to be able to convince Dr Foskey and the Greens of the merits of this early childhood investment. We look forward to the delivery of these additional schools with \$10 million worth of start-up capital to ensure that they are first-class early childhood education providers. This territory needs further provision of early childhood education. We look forward to working with an incoming Rudd Labor government to enhance the provision of early childhood education in the ACT.

Emergency services—restructure

MR PRATT: My question is to the minister for emergency services. Minister, on 3 July 2007, after three months of dissent by the volunteer brigades and units, Commissioner Manson, via an email sent to all volunteers, undertook:

... that I will progress the current restructure of ESA with a review on 1 November 2007 and post fire season, 1 May 2008, to confirm that the benefits envisaged are being delivered to RFS. The review will be a round table of CEO JACS, FCG, VBA and Bush Fire Council representatives. The terms of the review will be agreed between the parties by Monday, 1 October 2007. If, at the time of these reviews, it is agreed that the benefits envisaged to RFS are not being achieved, I will revert back to a Chief Officer and Deputy Chief Officer of the RFS, reporting direct to the ESA Commissioner.

Minister, what is the status of this promised review?

MR CORBELL: I thank Mr Pratt for the question. The status of that review is that the terms of reference are still being discussed between the commissioner and the representatives of volunteers. Once that discussion is complete—

Mr Smyth: Are you sure?

MR CORBELL: Yes, I am sure. The reason for that is as follows, I am advised. The commissioner supplied those terms of reference to the representative of the VBA—I think it was earlier this week or late last week. So, regrettably, there has been a delay. Those discussions are ongoing. Once that is agreed, the review will be able to take place.

MR SPEAKER: Supplementary question, Mr Pratt?

MR PRATT: Minister, given the failure of you and your officials to meet those organisational review lines that the VBA and other volunteers have been looking

forward to, to expedite this review process, how are you going to be able to repair the damage that exists between the government and the volunteers?

MR CORBELL: I have had some very good feedback from representatives of volunteers on the steps that have been taken over the last four to six months in particular. I meet regularly with representatives of the volunteers, along with the commissioner and the chief executive of my department, to discuss issues of mutual concern and interest. I meet with volunteers regularly every six to eight weeks. There have been about four of those meetings to date. That has proved to be a very effective and positive forum, and I have had some positive feedback from volunteers in relation to that.

It is regrettable that there has been a delay in finalising the terms of reference of the review. That matter is now being addressed. I am very pleased that draft terms of reference have been provided to volunteers. We are awaiting their comment. They received those only in the last week. Obviously, they will take a reasonable period of time to consider them.

The government is focused on continuing to improve the operations and the support provided to our emergency services. In the last budget, we made a major investment in our emergency services, which included funding for an additional 32 new vehicles to replace old or ageing vehicles in the RFS and SES fleet. We provided very significant, improved levels of funding for training and development of volunteers, including four-wheel drive training, helicopter entry and exit training and advanced fire control training. We have provided funding for additional communications capacity. We now have the TRN—the digital radio network—operating from Mount Tennent, providing very good coverage across a large part of the southern portion of the ACT, which is a very important advance.

The government has the runs on the board. We are providing increased resources and increased support for our emergency services—new vehicles and new training. We are providing a regular forum for contact and engagement. I am getting good feedback on that. There will always be road bumps from time to time, but I am very pleased with progress to date. We have a constructive level of engagement and we will continue that approach.

Emergency services—FireLink

MR MULCAHY: My question is to the minister for emergency services. Minister, in her report into the FireLink project, the ACT Auditor-General reported that the “external cost of the FireLink system was \$4.5 million, although this did not include related costs such as “staff time spent on the project”. You subsequently provided advice, in relation to the total cost of the FireLink project, that the determination of these costs would require “extensive compilation”. Minister, what was the total cost to the ACT community of the now cancelled FireLink project?

MR CORBELL: Mr Speaker, I have previously advised the Assembly on the costs associated with that project. I think that answer is complete.

Emergency services—FireLink

MR SESELJA: My question is to the minister for emergency services. Minister, since 2003, the Emergency Services Agency and the former authority have received many millions of dollars to fund communications equipment and operating costs. Earlier this year the mobile data and vehicle location system—FireLink—was scrapped and many of the findings about communication systems from the McLeod and Doogan reports are still to be fulfilled. Minister, why does the Emergency Services Agency still resort to using a manual tracking system of a whiteboard and markers to manage our RFS and SES units in the field?

MR CORBELL: Thank you, Mr Speaker. The issues with FireLink have been well canvassed in this place. I have put on the record my serious disappointment with the failure of the previous Emergency Services Authority to properly manage the procurement and implementation of that technology. The government has taken steps to ensure that that sort of failure of management by the senior officials of the Emergency Services Authority is not to be repeated.

We have put in place mechanisms to ensure that all individual IT procurement projects are approved by cabinet in advance of their purchase and that properly detailed business cases are in place. That has been the government's response to the failure by senior management to properly manage that project previously.

In relation to the question asked by Mr Seselja, I can indicate that the arrangements that are in place are tried and tested arrangements that work well in many scenarios across the country and are regularly used by rural fire services in New South Wales, Victoria and South Australia. This is a common methodology which is used regularly, consistently and reliably.

I have previously indicated to the Assembly that the final resolution of the best technology to manage the tracking of vehicles is still to be determined through an appropriate business case. Until that is done I will not be repeating the mistakes of others in committing to a particular technology which has not yet been fully assessed.

Mr Pratt: So five years after the 2003 fires we might get around to it?

MR SPEAKER: Order, Mr Pratt! You have already had your question. Mr Seselja wants to ask a supplementary question.

MR SESELJA: Thank you, Mr Speaker. Minister, where have all the funds that were intended for communications equipment and recurrent costs been spent?

MR CORBELL: I am very happy to advise members on where it has been spent. The bulk of it has been spent on a state-of-the-art digital radio network which now provides comprehensive coverage throughout an overwhelming majority of the territory. As I advised Mr Pratt in my earlier answer, Mount Tennant has now been established as a radio relay point for the TRN network. That has provided us with comprehensive coverage—

Mr Pratt: How much money did you divert to consultancies?

MR CORBELL: Well, you asked the question. If you do not like the answer, that is not my problem. But you asked the question and I am answering the question. The question is: where was the money spent? The money has been spent overwhelmingly on the provision of the TRN radio network, which is now being used operationally by the Rural Fire Service, as well as by the SES, the Fire Brigade and the Ambulance Service.

We have all four services using the one radio network. It is providing an extensive level of coverage across the territory. That is the single largest investment that the territory has made in IT communications in ESA, and I am very pleased to report to the Assembly that we are now having an excellent level of coverage—

Mr Pratt: What about the other 10 TRN towers?

MR SPEAKER: Order, Mr Pratt!

MR CORBELL: so sufficient, Mr Speaker, that the RFS has determined that it is suitable for their operational purposes. They have now moved from the old VHF technology to the digital radio network and are using that for their day-to-day operations.

Aboriginals and Torres Strait Islanders—health

MS MacDONALD: My question is to the Chief Minister and it relates to Indigenous affairs. Chief Minister, I believe the Stanhope government has an outstanding record in addressing issues of disadvantage amongst Indigenous Canberrans, including in areas like drug rehabilitation and education. I note a recent report by researchers at James Cook and Sydney universities that suggested up to 60 per cent of Indigenous Australians in some areas had cannabis dependency problems. Can the Chief Minister advise the Assembly what steps the government is taking to address such issues in the ACT?

MR STANHOPE: I thank Ms MacDonald for the question. As we all know, Australians generally enjoy health outcomes that are equal to the best in the world, and the health of Canberrans, in part as a result of the fact that we have the best health system in the world as well as the best Minister for Health, ranks highest of those in all jurisdictions in Australia. But that is a luxury that is not shared by Aboriginal and Torres Strait Islander Australians, whose health, including here in the ACT, is much poorer than that of other Australians.

While it is fair to say that here in the national capital we are free of some of the endemic issues that face Indigenous people, particularly in remote communities, nevertheless the health status of Aboriginal Canberrans is far less than that of their non-Indigenous neighbours, workmates and classmates. Misuse of alcohol and addiction to drugs within the Aboriginal and Torres Strait Islander community are major contributing factors to the lower health outcomes of Indigenous Canberrans.

According to a 2005-06 national minimum data set, the three most common drugs abused by Indigenous Canberrans, or in relation to which Indigenous Canberrans sought assistance, were heroin, alcohol and cannabis.

The social and economic costs associated with drug and alcohol misuse are difficult to quantify, but the destruction of human potential is very real, the erosion of quality of life of people who suffer a drug addiction and the misery of their family and themselves are plain and patently there for all to see. We do not need to assign a dollar value to the cost of drug and alcohol abuse to know just how significant an issue it is, and the anguish and pain that it causes.

This government has committed very significant resources to combating Indigenous disadvantage in the area of health. We fund staffing positions within non-government community organisations, and in our period of government have increased funding for Winnunga Nimmityjah by some hundreds of per cent. Both Winnunga Nimmityjah and Gugan Gulwan provide outstanding service to Indigenous Canberrans. Those two organisations are a real credit to all of those who work within them. Indeed, it is appropriate in the context of this question to acknowledge that Dr Peter Sharp, the medical practitioner who has been associated with Winnunga Nimmityjah for the last 17 years in a variety of roles, was last week awarded a most significant award within the Canberra Australia Day awards, that of Canberra Local Hero for 2007—a most deserving award.

We fund two youth detoxification support worker positions, one at Winnunga Nimmityjah and the other at Gugan Gulwan. We also support two dual diagnosis outreach worker positions—one at Winnunga and the other at Gugan Gulwan—to support young Aboriginal and Torres Strait Islanders living with the challenges of mental health and substance abuse issues.

Most specifically and of most direct interest to members, I announced last week, as part of the second appropriation bill, funding of \$10.8 million over this budget cycle to create a culturally appropriate Aboriginal and Torres Strait Islander specific alcohol and drug rehabilitation service. Not only did the idea for this service arise from the affected community, but Indigenous Canberrans have been quite deeply involved in the planning that led to what I think was a most historic announcement about the creation of an Indigenous-specific alcohol and drug service. Indigenous people will continue to be central to the project. We have not yet finalised the model for the service. A site has not yet been selected. Those decisions will be made in close consultation with Indigenous people in the territory.

We will, however, choose a therapeutic model. It will be rigorous but it will also be culturally appropriate. I am confident that the improved capacity and support that we as a society will have to assist Indigenous people caught in the spiral of substance abuse will have a significant impact on addressing the underlying social issues that affect everybody but specifically Indigenous people with a drug dependence. (*Time expired.*)

MS MacDONALD: Mr Speaker, my supplementary question is: can the Chief Minister advise the Assembly what steps the government is taking in addressing issues of Indigenous education?

Mrs Dunne: I raise a point of order, Mr Speaker. I think the original question was about Indigenous health and I therefore think that is out of order.

MS MacDONALD: Mr Speaker, on the point of order: I started by talking about Indigenous education as well as drug rehabilitation issues.

Mrs Dunne: Mr Speaker, the preamble may have been about this, but the question was about health and therefore the supplementary question has to be about Indigenous health.

MR SPEAKER: But, as Ms MacDonald has explained, she did refer to education matters so I am prepared to allow the supplementary question.

MR STANHOPE: Thank you, Mr Speaker. As we all know, if there is a single area of human opportunity that has the capacity to—

Mr Barr: The shadow education minister is not interested in Indigenous education.

Mrs Dunne: No, the member for Ginninderra wants the government whip to get the questions right.

MR STANHOPE: No. This would be another example, in the words of Mrs Dunne, of throwing good money after bad—the mantra of the shadow minister for education and the Liberal Party. Even in relation to Indigenous education the Liberal Party, through their spokesperson, actually consider this, as they do with all support for public education, as throwing good money after bad.

MR SPEAKER: Come back to the subject matter of the supplementary question, please, Chief Minister.

MR STANHOPE: It is important that we acknowledge that the greatest single opportunity that we have as a community to engender a capacity to change life is through access to quality education, and that of course goes for all of us, but most specifically for Indigenous students. We do care a lot about Indigenous education, unlike the shadow minister for education, Mrs Dunne, who believes that any funding for public education, including education for Indigenous students, is throwing good money after bad. We do know what Mrs Dunne thinks about public education. Most specifically we know what Mrs Dunne and the Liberals think about any support for Indigenous Canberrans and Australians.

MR SPEAKER: Order! Come back to the subject matter of the question, please, Chief Minister.

MR STANHOPE: The government has focused closely on issues around addressing disadvantage through access to a public education system that is unparalleled, that leads the nation and in relation to which we are prepared to continually invest. We are investing; we are investing in public education across the board at levels unheralded in the ACT's school history and most particularly since self-government. That is why

we support five specialist preschools. That is why we support programs designed to ensure our capacity for early intervention in addressing specific academic and social disadvantage—and, as we all know, if there is one identifiable group within this community and every other community in Australia that does suffer significant academic and social disadvantage, it is of course Indigenous students.

We have made enormous strides within the ACT in ensuring that Indigenous children receive that level of attention and care that allows them to perform favourably with non-Indigenous children within the territory. Indeed, in each of the recent annual ACT assessment program comparisons, Indigenous students in the ACT lead Australia in terms of outcomes and performance.

Year 3 ACTAP results have been comparable in recent years. In 2006 90 per cent of year 5 Indigenous students in the Australian Capital Territory achieved above the national benchmark in literacy and numeracy against the national average of somewhere around 70 per cent. Having said that, across the board and over all the years of education, Indigenous students in the ACT still trail non-Indigenous students by somewhere of the order of 20 per cent. But we have made enormous inroads, giant strides, in ensuring that Indigenous primary schoolchildren in years 3 and 5 are at the point where they are becoming indistinguishable from their non-Indigenous peers.

The aim must be—and it is an aim and an outcome that the government can set for itself, a major challenge—to ensure that at every point through education, from kindergarten to year 12, we reach a point where we cannot distinguish between achievements of Indigenous and non-Indigenous children. In recent times, most specifically over the last couple of years, we have provided specific targeted support for year 4 Indigenous students to meet the national benchmarks of literacy and numeracy, and the year 5 result, which I referred to before, showed some of the results of that specific targeted support for year 4 students.

I announced last week an additional \$3.3 million to expand the level of individual and targeted support for Indigenous students in ACT public schools. The funding will build on the success of the year 4 literacy and numeracy strategy and ensure that there are individual support packages for every Indigenous student in public education in the Australian Capital Territory through focusing on each student and their particular needs and ensuring that they have the level of support. I believe that over time, with commitment, with resources and with a passionate determination to ensure equality of opportunity for Indigenous students, we will reach a position in the ACT where Indigenous students in our public schools are indistinguishable from their non-Indigenous peers. (*Time expired.*)

Bushfires—preparation

MRS DUNNE: My question is to the minister for emergency services.

Mr Stanhope: Best schools and best outcomes in Australia.

MR SPEAKER: Order! Mrs Dunne and Chief Minister, cease the conversation across the floor.

MRS DUNNE: Mr Speaker, for it to be a conversation someone would have to answer.

MR SPEAKER: Come to the question, Mrs Dunne.

MRS DUNNE: Minister, on 31 October 2007—that is, three weeks ago and four weeks after the official start of the 2007-08 bushfire season—you announced the implementation of the farm fire wise program to assist rural leaseholders in preparing their properties for the bushfire season. The major part of the funding for this program came from a total of \$90,902 in grants provided by the federal government via the Attorney-General's Department in 2005-06 and 2006-07 through the "working together to manage emergencies" initiatives. Minister, you had had all of this money since 2006-07 and some of it from 2005-06: why wasn't the farm fire wise program rolled out many months before the beginning of the 2007-08 bushfire season?

MR CORBELL: Mr Speaker, it was. The farm fire wise program has been going now for a considerable period of time. In fact, I indicated on the launch of the program that already 50 rural leaseholders had been visited or had participated in the program.

Mr Pratt: And you've got 100 to go. You're a third of the way through your constituency.

MR SPEAKER: Order, Mr Pratt!

MR CORBELL: I will draw to Mr Pratt's attention that, unlike in other organisations, you cannot compel people to go to these seminars. Not all rural lessees have taken advantage of the program, but many have and I thank them for it. To clarify Mrs Dunne's misunderstanding, the farm fire wise program has actually been ongoing for some time. To the extent that there was a launch, it was a launch after the program had been well and truly underway.

MR SPEAKER: Supplementary question, Mrs Dunne?

MRS DUNNE: Thank you, Mr Speaker. On the basis that the minister has said that—

MR SPEAKER: Come to the question, please.

MRS DUNNE:—that he cannot compel people to people to go to the seminars—

MR SPEAKER: Come to the question, please.

MRS DUNNE:—what is he doing to ensure that there is compliance with bushfire management plans and the like on rural properties if people are not participating in this program?

MR CORBELL: We seek to work cooperatively with all landowners and land managers in this regard. I have to say that I do not want to in any respect give the

impression that there are landowners who are not being helpful. All landowners, I know, take their responsibilities very seriously in terms of fire management on their properties. I do not want to suggest for a moment that there are landowners and land managers who do not.

Mrs Dunne: You did just a minute ago.

MR CORBELL: I am clarifying my comments, Mr Speaker, because I do not want them to be misconstrued by serial misconstruers such as Mrs Dunne. What I want to make clear is that, where landowners—

Mr Stefaniak: Point of order on that: “a serial misconstruer” is completely unparliamentary, Mr Speaker.

MR SPEAKER: To suggest that people misunderstand things is hardly—

Mrs Dunne: Point of order, Mr Speaker: “misconstruer” implies malice.

Mr Barr: We know you’ve got plenty of that—

Mrs Dunne: While we are on the subject, we might get Mr Barr to withdraw that as well.

MR SPEAKER: I missed whatever that was.

Mr Barr: Sorry, Mr Speaker. I withdraw.

MR SPEAKER: Thank you. Just bear with me for a while; this is a first. It merely means “to misunderstand”. I could not rule that to be unparliamentary, Mrs Dunne.

MR CORBELL: In response to Mrs Dunne’s question, the RFS and the ESA work closely with rural landholders and other land managers. There is also close contact between many rural land holders and the volunteer brigades in different districts around the territory. For all of those mechanisms, formal and informal, there are statutory powers available to the ESA to enforce conditions of bushfire operational plans and in particular fire management planning. Fortunately, and I think favourably, they are not employed often, because a cooperative approach is always preferable, and that is the approach which is continually adopted through both those formal and those informal contacts between representatives of the ESA, RFS and rural landholders and land managers.

Emergency Services Agency—relocation of headquarters

MR SMYTH: Mr Speaker, my question is to the minister for emergency services. Minister, during the estimates hearings this year you confirmed that there were a number of components of the Emergency Services Agency that had not made the transition from Curtin to Fairbairn.

Minister, as effective communications is one of the most critical components of the Agency, when do you anticipate that the communications centre will transfer from

Curtin to Fairbairn? What will be the cost of this move? Have you been advised of any technical problems with the operations of a communications facility at the Fairbairn airport?

MR CORBELL: Thank you, Mr Speaker, and I thank Mr Smyth for the question. The government is finalising its arrangements for the transfer of the ESA headquarters to Fairbairn, and that is close to finalisation. In relation to the matters associated with the ComCen, I can advise Mr Smyth that I am advised that there are a number of issues that will need to be addressed to ensure that ComCen can operate effectively at Fairbairn, but that these are technical in nature. I am advised that there are common and straightforward technical solutions to those issues.

MR SPEAKER: Do you have a supplementary question, Mr Smyth?

MR SMYTH: Thank you, Mr Speaker. Minister, which other components of the Emergency Services Agency have not made the transition as yet from Curtin to Fairbairn?

MR CORBELL: I think I have answered that question about twice in questions on notice from Mr Pratt. I draw Mr Smyth's attention to those.

Rock throwing

MR GENTLEMAN: My question is directed to the Minister for Police and Emergency Services. Minister, can you advise the Assembly on the steps the government is taking to implement the Assembly's recent resolution to investigate the causes of rock throwing in our community?

MR CORBELL: I thank Mr Gentleman for the question. Yes, members will recall that the Assembly passed a resolution in September this year calling on the government to establish an investigation into the causes and underlying reasons for rock throwing in our community to see what the best approaches for tackling that behaviour were.

I am very pleased to advise the Assembly that later this week I will be raising this issue at the meeting of the ministerial council for police and emergency services, which comprises police ministers and police commissioners from around Australia and New Zealand. I will be proposing to that meeting that it agree to make the investigation of this issue a nationally agreed priority and that research be undertaken on a collaborative basis amongst all jurisdictions to ensure that we get the most up-to-date data and information from other jurisdictions in relation to this behaviour and analysis of the best methods for tackling this behaviour.

Rock throwing is a dangerous behaviour. It is potentially fatal. It clearly causes very real risks for people on the roads. The government's approach to this is to better understand the causes and motivations of the behaviour and find the best possible approaches to tackling it. There has been significant level of interest in this proposal from the ACT from a number of jurisdictions. I am very pleased for the support of those jurisdictions. I hope that other jurisdictions will join with the ACT to undertake this piece of research and investigation.

If it is not successful, I will nevertheless continue to pursue this issue. The government is having discussions with the NRMA road safety trust and a number of other entities to identify the best ways of funding and undertaking this investigation. I will be very pleased to report back to the Assembly on the outcomes of the ministerial council for police meeting. Hopefully, we will have agreement from other jurisdictions to pursue this issue using a national approach.

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

Supplementary answers to questions without notice

Health—compensation claims

MS GALLAGHER: I have some further information for Mrs Burke relating to a question asked in question time. In relation to the difficulty of providing an exact figure for Mrs Burke, the contingent liabilities figure changes all the time based on what incidents are reported to the Insurance Authority and to the ACT Government Solicitor. It includes the potential costs assigned to any respective incident, resolution of incidents or the ceasing of action taken. These relate to several hundred claims that stretch back some 30 years based on the fact that some are ending, some are beginning and some are just there in case they turn into action. It is very difficult to give an exact figure.

Territory plan

MR BARR: Last Thursday I took a question on notice from Mr Pratt in relation to a development application in Gungahlin and a broader question around inconsistency with the territory plan. I can advise the Assembly that a development application must be assessed against the provisions of the territory plan and the crown lease and consideration must be given to any comments from members of the public, utility providers, and other government agencies before a decision is made.

I am advised that, in order to allow an applicant to apply to the ACT Administrative Appeals Tribunal for a review of a decision under section 275 of the land act, a written decision must be given to the applicant. Members will appreciate that the Planning and Land Authority will often have to receive a development application in order to determine if it is consistent or inconsistent with the territory plan.

The Land (Planning and Environment) Act 1991 does not make provision for the authority to return an application if it is inconsistent with the territory plan because this would deny the applicant the opportunity to contest the authority's assessment of the application and, therefore, have first party right of appeal. So a decision about consistency with the territory plan can only be made after the full assessment of a development application, not at the time of lodgement.

Papers

Mr Speaker presented the following papers:

Government Procurement Act, pursuant to section 39—Government Procurement (Relevant Standing Committee) Nomination 2007—Notifiable Instrument NI2007-367, dated 13 November 2007.

Education, Training and Young People—Standing Committee—Report 5—*Inquiry into the Eligible Voting Age*—Speaker's response, dated November 2007.

Mr Corbell presented the following paper:

Administration of Justice—ACT Criminal Justice—Statistical Profile—September 2007 quarter.

Public transport—infrastructure

Discussion of matter of public importance

MR SPEAKER: I have received letters from Mrs Burke, Mrs Dunne, Dr Foskey, Mr Gentleman, Ms MacDonald, Mr Barr, Mr Pratt, Mr Seselja, Mr Smyth and Mr Stefaniak proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Ms MacDonald be submitted to the Assembly, namely:

Importance of public transport underpinned by supportive and integrated infrastructure.

MS MacDONALD (Brindabella) (3.24): The necessity of providing commuters with an efficient and effective public transport system has been recognised throughout the world. The Stanhope government has recognised this need and is committed to creating a sustainable public transport system now and into the future.

The ACT jurisdiction is unique. It is unique geographically, topographically and in terms of our urban spread. Canberra is a low-density, dispersed city with population of 307,000 that covers a large radius. The ACT is more car dependent than most other Australian jurisdictions. According to the Australian Bureau of Statistics, Canberra has the highest average kilometres travelled per vehicle per annum compared with other states and territories. There is no jurisdiction around the world that faces this combination of issues. But it is the government's aim to ensure that public transport is progressively made fully accessible and attractive to all who wish to use the service. By increasing patronage and improving the efficiency of the public transport system, the ACT will see increased social, environmental and economic benefits.

The Stanhope Labor government's key transport priorities are: better public transport, which includes improving ACTION services, building better public transport infrastructure, improving public transport safety and improving taxi and car hire services; a safe and efficient road network, which includes managing parking demand, enhancing the capacity of the road network through key capital works and improving the management of heavy vehicle access to the network; cleaner, safer and healthier personal transport, which includes encouraging greener and healthier personal transport and educating for safer road use and, lastly, planning for the future, which includes reviewing and developing transport plans integrated with land use planning and creating future transport opportunities over the longer term.

Since 2002, the Stanhope Labor government has introduced a significant number of initiatives, including \$22.84 million towards ACTION's fleet replacement program. Fifty-four new wheelchair accessible CNG buses and 20 new wheelchair accessible diesel buses have been introduced into the fleet. Over the next four years, commencing in 2008-09, the government will also invest \$50 million in new wheelchair accessible buses to better meet the expected growth in demand for public transport and accessibility requirements by Canberrans with disabilities. The investment is expected to deliver about 100 new buses and to meet the government's commitment to have 55 per cent of the fleet wheelchair accessible by 2012. Currently, 25 per cent of ACTION's buses meet disability standards under the DDA, and this is the target level for December 2007 under the act. In addition, 16 new wheelchair accessible buses will be introduced into ACTION's fleet by the end of next year.

The government will also be investing \$20.45 million over the next four years to improve bus services and connections and enhance services in many parts of the city. Proposed improvements, to be introduced in April 2008, this coming April, include: same route directions and route numbers seven days a week; more frequency and less waiting for routes throughout the day; more express services; better spacing of services; better connections; improvements to route design in many suburbs; improvements to services in Gungahlin, the parliamentary triangle and central Canberra and new services for Brindabella Park from Gungahlin, Civic and Woden.

As from tomorrow, the Canberra community will be able to view the proposed network plan by visiting any bus interchange, Canberra Connect shopfront, library, ACTION bus or the ACTION website at www.action.act.gov.au. The government is keen to hear the views of commuters and also those in the community who are considering using the proposed new network services.

Further initiatives have also been funded for the improvement of our bus interchanges, with \$1 million being provided this financial year to improve safety, security and maintenance at the Woden and Belconnen bus interchanges. This additional funding will see the installation of security cameras at Woden and Belconnen interchanges. Provision of improved CCTV will better enable enforcement agencies to deter and identify criminal and antisocial behaviour. Funding will see the much needed maintenance work undertaken at Belconnen interchange, in the lead-up to the construction of a new interchange. In addition, 100 additional seats will be installed at selected bus stops across Canberra.

The government has also provided funding of \$2.3 million over the next four years for ACT senior and community transport. ACT seniors are now eligible to travel using a concession fare in the peak periods. This initiative will allow all holders of an ACT seniors card to ride on an ACTION bus for half price at any time, including during peak periods. Canberrans aged 60 years or over who are permanent residents of the ACT and not in paid employment for more than 20 hours a week are eligible for an ACT seniors card.

The funding will also allow for the introduction of a community on-demand, wheelchair accessible minibus service to supplement transport delivered by regional

community services. The beneficiaries of this initiative are ACT seniors and people isolated in our regional community through lack of transport options, such as people with a disability, new migrants and people who may be temporarily unable to move easily in their community. Six wheelchair accessible minibuses will be provided, one to each of the six regional community service organisations. The on-demand minibus service will be operated by these organisations.

This government, the Stanhope Labor government, has listened to the Canberra community expressing its need to provide a more flexible service. The community on-demand service initiative will fill an existing gap in the transport system, thereby providing an alternative, affordable and flexible transport option for the territory's senior citizens. ACTION will be working closely with the regional community service organisations and the Department of Disability, Housing and Community Services to introduce this fantastic new service. This initiative will complement ACTION's improved network service proposal for non-peak services. Following the procurement process, it is proposed to introduce this on-demand service in early 2008.

To support the government's climate change strategy initiative of free travel to bike users using bike racks, the government will also provide \$70,000 for ACTION. A further 55 racks will be purchased to ensure greater service reliability of its bike rack-equipped buses on the intertown 300 series services. The initiative of free travel for bike users is proposed to commence on 1 December 2007. I have to say at this point that I think I might actually try to use that service myself at least once. I will see how I go after that one time. I am not sure whether I will be able to walk after riding into town.

Mr Hargreaves: I want to see it. You can catch the bus back.

MS MacDONALD: Yes, I will catch the bus back and take my bike with me. These major transport improvements are consistent with the government's sustainable transport plan and the objective of increasing the modal share of public transport. The installation of CCTV is also consistent with the intergovernmental agreement on surface transport security. These recently announced investments are a testament to this government's ongoing commitment to the ACT's public transport system and a tangible demonstration of the priority that this government places on efficient, sustainable transport options for this community.

MR PRATT (Brindabella) (3.33): I have decided to give Ms MacDonald the award for the greatest amount of spin seen this side of the black stump. I stand to talk on this very, very important matter of public importance—public transport. It is very, very important that we have an effective, efficient, safe, clean, comfortable, convenient public transport system here in the ACT. We all know—at least we should all know, and the opposition certainly believes it—that it is very, very important that we do the best we possibly can to attract ACT drivers out of their cars and into a public transport system.

That is why I stand here today to criticise the government. Ms MacDonald's speech indicating how wonderful and gorgeous things are really needs to be heavily criticised. I have just seen the greatest example of exaggerated spin since last Friday night when

I watched the docudrama *Forbidden Lies*. In that docudrama the tragic Norma Khouri wildly spun her way through a series of confected situations that did not exist. Like Norma's dark Jordanian plot, a wonderfully efficient public transport system underpinned by effective integrated infrastructure does not yet exist. All the ingredients are there, but they are not cohesively organised by this government. It has neglected our public transport system.

I welcome the opportunity to discuss this issue. The opposition has long held the belief that public transport should, indeed, be underpinned by a supportive and integrated infrastructure. It is a shame the government is only just coming around to the idea, according to the latest funding injection. This comes from a government with a track record of failing to act upon the increasing violence that is occurring at interchanges and which is effectively working against trying to grow patronage.

Violence at interchanges is a key concern. Assaults on bus passengers and ACTION staff continue unabated at our interchanges because of the failure by the Stanhope government to take any effective action to stem the violence. An answer to a question on notice reflected that there were only three reported assaults on ACTION staff over the past three months. Alarming, the answer notes that there are no figures available for assaults on passengers. So we seem to have facts available indicating how many staff have been assaulted at bus interchanges, but nobody seems to care that we should be keeping statistics and details of the number of assaults on passengers. Why does that not matter?

This information is even more alarming, given the glaring omissions. We know that anecdotal evidence supplied to my office and through the media indicates that more than three assaults have occurred since August last year. Further, ACT police data published in the media recently says that 30 assaults occurred at bus interchanges alone in the three months between February and April this year. Now, that flies well and truly in the face of the picture painted by the minister in his answer to my question on notice about safety and security at bus interchanges.

What does this say about the data that the Stanhope government chooses to make available from ACTION? Either the incidents are not reported or the reports themselves coming out of ACTION are not taken seriously by the minister. I do not say that things are being doctored, but I have had it put to me by very, very concerned ACTION staff that what they report out of the interchanges is not necessarily reflected in the incident reports that come from the department. So it seems that either there is a misinterpretation of the facts somewhere up through the chain of command or somebody is making sure that the picture remains as rosy as it possibly can be.

Just to underpin the situation regarding safety at bus interchanges, indeed safety on buses, and the yawning gap between the information that we are getting both anecdotally into my office and through the media versus the information provided by the government to questions on notice about those very questions, I hereby table 12 media articles on the violence and disrepair at ACT interchanges. These 12 media releases refer to violence and assaults in the space of a 30-day period—I say again, in the space of a 30-day period. I seek leave to table these documents.

Leave granted.

MR PRATT: I table the following paper:

ACTION buses—Security concerns—Media articles (12).

In the spirit of openness, minister, I thank you for your support. Over subsequent budgets we have heard the promises from the minister, the recycled, over and over promises that all buses will have CCTVs installed. We hear again that, as part of the second appropriation, funds will be made available to install CCTVs in all ACTION buses. What a surprise! ACTION patrons and employees alike wait with bated breath for this to actually happen.

I was pretty happy when the minister took note of the deteriorating situation in those interchanges. I have said before and I said it last week during a debate that we had here—ironically, about the second appropriation bill expenditure—that the minister had indicated good faith in May of this year in wanting to step forward and to do something about safety at interchanges. He said that he identified and acknowledged that real situation and that he would take steps by July of this year to do two things, firstly, to embark on installing CCTVs and, secondly, to increase staff to make sure that ACTION staff manning these interchanges would be safer after last light.

Last week in this place the government presented an appropriation which indicated that they would embark on a program of something in the order of \$250,000. That program really will not see CCTVs fully installed across all of our bus interchanges in the immediate term. This is a matter of urgency but, as we saw today from the minister for emergency services, when it comes to safety, a matter of urgency involves a program often of two to three years duration. This government has no sense of urgency when it comes to addressing matters of safety and security. We see that again in the way that this government is ponderously and very slowly, perhaps incrementally, moving now to have a look at these bus interchanges.

We will probably not see significant changes in these interchanges for some months, but the matter is pressing. The security and safety of bus interchanges and on buses is a pressing matter. For Ms MacDonald to say that we are underpinned by effective infrastructure is not an absolutely correct picture, is it? The infrastructure at our bus interchanges is deteriorating. They are not particularly pleasant places. They attract crime. People have known that for quite some time, but we have yet to see any definitive statement by this government that they are going to move to fix these up. There are rumours that Woden bus interchange may be refurbished, but we have yet to see dollars committed and statements made indicating that there are programs underway to address these sorts of issues.

I want to talk now about fleet replacement. Fleet replacement is an integral part of our public transport system. The announcement of 25 new buses a year does not really equate to new buses, despite the spin that this will value-add to the existing fleet. These buses will only bring the ACTION fleet up to where it should be, give or take 10 per cent of fleet capacity. In fact, we could probably say that the Stanhope government has no fleet replacement strategy. Again, in an answer to a question on notice, the minister failed to outline any strategy to address the issue of

replacing an ageing fleet. In his answer to the question he outlined the replacement strategy, and it is “to acquire new buses to meet increasing demand for services”. What kind of strategy is this? That is just a statement of intention. How is that a logical strategy when services have been slashed and patronage has suffered as a result?

Following the rationalisation exercise of 2006 and the destruction of those timetables, we have seen a decline in patronage. In fact, 273 of our 379 buses, or almost 66 per cent of the entire fleet, are 12 years and older. The oldest bus in the ACTION fleet was manufactured between 1985 and 1987. Mr Corbell and Mr Barr would have been still in primary school—perhaps it was not closed—when this bus hit our roads. That is how old these buses are.

I want to point out a couple of matters. In a response to my question on notice on the age of the fleet, I received a table of bus types, quantities and average ages, which clearly indicates that the bus fleet is incredibly aged. It begs the question whether the announcement of that amount of money for 100 new buses over four years is going to plug the yawning gap. Even if it does, the government should be ashamed of misrepresenting this as some sort of initiative to significantly increase our bus fleet capacity. In effect, what has happened here is that the money appropriated is really catch-up money. It is catch-up money to plug gaps in our ageing bus fleet which have existed now for a number of years.

The government has been 20 to 25 per cent behind in maintaining its bus fleet numbers for something like four and a half years. Last week’s announcement is simply catch-up. The government should be ashamed that they are selling that as some significant capacity value-adding exercise. At best, you might be improving your capacity by about 10 per cent. So you spend \$75 million to increase capacity by a mere 10 per cent, if you are lucky. The fact is, minister, you have simply spent money to catch up on four and a half years of neglect in terms of maintenance of the bus fleet.

In conclusion, the \$75 million thrown at ACTION recently in the second appropriation has done nothing but bring us back to where we were prior to the budget of 2006. It has gone no further in terms of underpinning our public transport with supportive and integrated infrastructure. The Transport Workers Union has even been quoted as referring to this injection of funds as “the government fixing up its own stuff-up”. That is where all this money has been absorbed. There are no new initiatives, no brainwaves here, just the same old rhetoric from a government desperately trying to get in favour with the voting public just in time for an election year.

MR HARGREAVES (Brindabella—Minister for Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (3.48): I make a couple of quick points. Mr Pratt spent 10 or so of his 15 minutes talking about safety on buses. This matter of public importance goes well beyond that, and I think he is fixated on this “hang ’em high and hang ’em long” approach to public safety. He does not acknowledge the relationship we have with the police, he does not recognise the relationship we have with transport supervisors, he does not understand the

relationship we have with the travelling public and he does not acknowledge the extent to which CCTV cameras across the city are being renewed and installed as we speak. He does not acknowledge the number of CCTV cameras which are already on buses and the fact that the whole fleet will be done by this year. He does not recognise that at all.

Further, Mr Pratt says that we have only recently had some commitment to this. I have to tell you, Mr Speaker, he does not recognise that it was my colleague Mr Corbell who brought forward the sustainable transport plan. That sustainable transport plan talks about our attempts to get people out of cars, which is something Mr Pratt referred to. What about cycle paths, which is an infrastructure item? Did we hear any reference to that from Mr Pratt? Not a bit. Did we hear about the provision of driver training for motor cyclists? Not a thing.

Mr Pratt: The driver training program is not infrastructure.

MR HARGREAVES: Did we hear about road infrastructure and the amount of money we are putting into road infrastructure? No, we did not hear a thing about that in his speech. We hear it now in an interjection, now that he has had a wake-up call, but we did not hear a thing about it in his speech. Did we hear anything about taxi reforms? Not a thing. Did we hear anything about hire car reform? Not a thing. Did we hear anything about the ACT road safety strategy? Not a thing.

Mr Pratt says our \$75 million allocation puts us back to where we were before. I hate to tell Mr Pratt this, but \$50 million worth of additional buses, replacement buses, was not there four years ago. Did he recognise the fact that we are buying a further 16 this year? No, he did not. Did he acknowledge that 55 per cent of our fleet will be wheelchair accessible by the year 2012? No, he did not. Did he recognise that we are putting CNG and environmentally-friendly diesel in our buses? No, he did not. In fact, he wasted his 15 minutes almost completely, because all he really talked about were two items. He talked about reports of violence at interchanges and he then tabled a bunch of his own media releases. Why he tabled them I do not know, because we can get them all off the net.

He then talked about old fleet replacements. But he asked me a question in annual report and estimates hearings about our fleet replacement program in the last couple of years. Does he recall that we have injected an enormous amount of money into replacement engines to extend the life of the buses from 12 years to 20 years? It costs an enormous amount of money to put a bus engine in. Of course, we can extend the life of the buses. Yet he contradicts himself by saying, "But the amount of buses will increase by 10 per cent." Did he talk about what that 10 per cent figure might represent? It represents 40 buses. That is an incredible amount of money. He screams his lungs out from time to time, saying, "You've got to put more buses on the road."

Mr Pratt: On the back of four years of neglect it is pretty meaningless, John.

MR SPEAKER: Mr Pratt, order!

MR HARGREAVES: Mr Pratt, in this matter of public importance I think it is reasonable that we compare what the government is doing. There has been an

enormous injection of funds. The biggest one recently has been \$75 million. Today I opened the Gungahlin Drive extension bridge over Belconnen Way. That is a \$7 million bridge. You can now travel on that road all the way from the Barton Highway to Aranda. That piece of infrastructure, to which Mr Pratt did not refer in his MPI speech, is now open, and we are on schedule to open the lot in the middle of next year.

We have a sustainable transport plan. We have signages on our bike paths and we have a bike path maintenance program. We have pedestrian programs and motorcycle programs. We have concessions for environmentally friendly vehicles. With all of those things, we have got rubber on the road. But what have they got? What is the transport policy of the alternative government? It is now 20 November 2007. The only thing we can find, after a good old-fashioned trawl, is their platform of July 2004. Mr Pratt has been in his current guise—and I use that word advisedly—of shadow transport minister since 2004. Has he been able to articulate anything new?

Mr Seselja: Correct the record.

MR HARGREAVES: No, he has not. What are they going to do about alternative options for vehicle use? Their platform says they will “investigate and encourage alternative options for vehicle use”. Well, what are they? Nothing, Mr Speaker. They are going to reserve transport corridors for future development, Mr Seselja. It says so here. If it is not the policy of your lot over there, what is it doing in your policy? There is a strip of land down Belconnen Way for either a specific busway later on or for a light rail later on. It is called reserving transport corridors, Mr Seselja. If you do not believe it, get it out of your policy, or people will think you are part of my lot.

It talks about “promoting shared means of travel and travel blending as the preferred form of commuting”. What have we seen from that? Has the shadow transport minister encouraged people to do things like make use of our park-and-ride policy and our three-for-free policy, which are about public transport and the infrastructure which supports it? What have we seen? Nothing. This is what they are going to do: they are going to plan and they are going to promote. They are going to reserve a transport corridor and they are going to ensure that planning of new suburbs takes account of the requirement to provide high-quality links for major travel demands. Nobody in the whole country understands what they mean by it.

This July 2004 platform takes up three-quarters of one page. The executive summary of Mr Corbell’s 2001-04 sustainable transport plan beats that. That is a pathetic piece of work. Do you know what it is, Mr Speaker? This shadow transport minister has the temerity to get up here, during an MPI discussion on transport and transport infrastructure, and talk about nothing more than violence at an interchange. Did he acknowledge that it was a partnership between the community and an ACTION bus driver which enabled the police to receive enough information to apprehend a person hurling a rock at a bus? No, he did not. Did he acknowledge the work that transport workers in those interchanges are doing to keep the violence down? No, he did not.

All he is saying is: “Oops, we’ve got ourselves a thing here. It’s not getting itself into reports, so the government clearly is not doing anything, because this is rampant.” If

we were to go down to the Civic interchange now, we would see marauding hordes terrorising all of the poor old bus travellers down there and perpetrating violence on them constantly! Mr Pratt builds up a straw man so that he can tear it down. Well, it does not work. This is just a rampant attempt to hide one's own inefficiency and one's own lack of work.

The alternative transport policy is evidence that not one minute of thought has gone into providing a substantial alternative transport policy. There is nothing here which recommends itself to the people of the ACT about how they would do anything and how they would fund it. Mr Pratt criticises \$75 million worth of additional investment in infrastructure, yet what does he offer in return? Absolutely nothing, as usual. (*Time expired.*)

DR FOSKEY (Molonglo) (3.58): We have had a bit of a duel of the standing members. Public transport is, of course, a matter of utmost public importance. It is a good time for Ms MacDonald to bring this issue to the Assembly's attention. I do not think it would have been brought up as a matter of public importance, say, even a month ago. But there is no doubt that the appropriation bill that is before us contains good news for public transport, and that will always be welcomed and applauded by the Greens.

If Canberra is ever going to reduce its ecological footprint, public transport will have to become much more available and better utilised. We know that transport fuels make up approximately a quarter of our emissions at the moment and that, if we are going to achieve the required reduction in emissions to mitigate climate change, increased use of public transport will be a central part of those reductions.

There are people who say that we should just work on developing cars that rely less on oil and create less emissions, and that will be part of the mix as well, but we know that, with increasing population, congestion issues and other health-related issues will come to the forefront if we just focus on making cars more environmentally friendly. We know that public transport is also vitally important to social justice, because a number of our population do not have cars. I mentioned a few weeks ago that in west Belconnen there is quite a large percentage of people without cars. I think the figure is something like nine to 10 per cent. That is an indicator not just of poverty but of people below the age of 18, families that only have one car and people being left at home during the day—often people with children, usually women—and that they need access to a good, reliable bus transport system. People may also remember that I mentioned one person who reported taking three hours to get from west Belconnen to the doctor, and this is just not acceptable.

We are all aware that the 2006-07 budget not only slashed funds for public transport but also changed the governance system. Responsibility for it was taken away from planning where, through happenstance, it was integrated through having the same minister. Also, putting the ACTION bus authority within the Department of Territory and Municipal Services removed its identity and made it battle, in an interdepartmental way, for funds. Without any evaluation—and I hope the government has done some internal evaluation—we cannot know the impact that that had on our bus system.

Public transport is only a part of the 2004 sustainable transport plan, which intended to provide Canberrans with more sustainable modes of transport over the next 25 years. The Conservation Council had a look at this plan very recently, in 2007, and assessed the government's achievements against the plan. It is clear from this assessment that last year was a black time indeed for public transport. We saw an absolute decrease in services provided by buses. We also no longer hear the government saying that it wants to reduce the number of car journeys to work.

In the assessment, the government wanted to increase the percentage of work journey trips done by public transport by nine per cent by 2011 and by 16 per cent by 2026. I am not sure that we are seeing those measures sustained, and I would like to see the government report on how it is making it more attractive to people to travel by bus to work. We know that it is attractive for some people. It depends where you live in Canberra. If you live anywhere in the inner north or inner south, there are quite reasonable bus services, due not only to specific services but to the buses that come from further away that travel through those suburbs.

People who live in outer Belconnen, Tuggeranong and even Weston Creek who need to go to an interchange to get onto another bus are the people who are taking the two to three-hour journeys to get to their doctors. People who are not commuters can have an hour's wait during the daytime. I would say that most of the changes last year were primarily to benefit commuters, which is admirable, but it does not recognise that the most disadvantaged people are the ones who travel during the day. If you miss a bus you can wait for a whole hour. That is not convenient, and it also explains why it takes so long to get anywhere.

Cycling is part of sustainable transport, and it is very good to see the bike racks on buses on some services, but I have mentioned in this place before that that is no good if you have a basket or something on your bike, because the buses will not take it. It is a pity that the bike racks do not suit people like me who always have a bike basket because of the huge amount of stuff they carry around. So that is a good thing but not quite good enough yet.

One of the things that we hear every time we talk about buses is that Canberra was designed as a car city; therefore we cannot really go as far as we might like to. It is true that Canberra was designed for cars but I do not think it is good enough to say that means we cannot really improve our public transport, including our walkability. Parts of Canberra are very walkable but others are not. I refer, for instance, to riding over any of the bridges in the parliamentary triangle. There are black spots. I know that, in getting onto Kings Avenue bridge, I have had to pick up my bike and try and get it up a fairly steep hill because, except for one access point to the bridge, there is absolutely no way of getting your bike up there safely. These are simple things which I have written to the NCA about. They say they are looking at it, but it is taking a long time.

If we really want to get people on buses, the kinds of people who seem to be glued to their cars, I suggest that the government introduce a free public transport day. It could be done, for instance, in the school holidays, when there is not the demand for bus

services. We know they are very stretched at that point, in getting people to work and to school. But why not promote leaving the car at home and getting on the bus, and make it attractive for people to do that? A lot of people do not know that it is actually quite enjoyable to sit on the bus. You can read your paper and see a bit of life. Some people will mingle with people that they do not ordinarily mingle with. I think that is a really good thing.

Ms MacDonald: They get to see you on the bus.

DR FOSKEY: Well, every now and again they do. I want to applaud the government for integrating the taxis. I have asked for a briefing, but I have yet to see how the taxis will work in with the bus systems. I think that is a really important thing. We do need that variety, especially on weekends at night, which is the weak point in our public transport system. I would like to see taxi services integrated; I would like to see mini-buses. I would also like to see more use of texting. People should be able to go to a bus stop and find out when their next bus is coming. They will know whether it is worth waiting there or whether they should go home because it will take a whole hour.

I have heard that the Darwin bus service is flexible in a similar way. I am not planning to travel to Darwin to see that, but I would like to see it. Darwin is a city of a similar size and therefore might have some lessons for us.

MR SESELJA (Molonglo) (4.08): Dr Foskey asked us to learn lessons from Darwin. I believe Darwin has the lowest percentage in the country of public transport users going to work. So perhaps that is not working quite so well and maybe the lessons of Darwin are not as good as Dr Foskey makes out.

It is notable that Ms MacDonald has brought forward this issue of the importance of public transport, underpinned by supportive and integrated infrastructure. Mr Hargreaves had a lot to say about infrastructure, but Ms MacDonald, despite still having six or seven minutes to go when she sat down, did not mention the word “busway” even once. Correct me if I am wrong, but I do not think there was any mention in Ms MacDonald’s speech of the busway.

It is interesting that she had 15 minutes to talk about sustainable public transport infrastructure, yet the main proposal that has been put forward in terms of infrastructure by this government was completely neglected by Ms MacDonald. I do not know whether that is because of the faction that she sits in—whether the right faction in the Labor Party does not support the busway and the left does. But I think it might be because it is an embarrassment to members of this government.

Of course, we cannot have a discussion about public transport infrastructure without talking about the busway. Let us look at a bit of the confusion that has existed over the busway on the part of the government. Back in December 2004, Mr Corbell had this to say:

The Government has committed \$6m for implementation of the Sustainable Transport Plan over the next two years, including forward design of the busway, with an expectation that construction might start towards the end of 2006.

When he was asked in November 2005 whether the busway would go ahead, he said:

Of course, we are continuing to work on dedicated public transport infrastructure such as the proposed busway between Belconnen and Civic.

Mr Quinlan was asked in January, three months later, whether the busway would go ahead and he said, "I would doubt that." Mr Corbell, two months later, in March 2006, said:

The route options chosen for further assessment have been selected after an exhaustive selection process involving community consultation, engineering investigations and evaluation of environmental issues by public transport consultants, noise specialists and expert wildlife and botanical panels.

In May 2006, John Hargreaves was asked whether the busway would go ahead. He said, "Not in my lifetime." The Chief Minister, in May 2006, 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'll complete those studies and through those studies we will reserve land for a potential future dedicated busway.

So the mixed messages and the absolute mismanagement of this project that we have seen on the part of this government are perhaps the reasons why Ms MacDonald failed or refused to mention the busway in her speech. It was not that she did not have enough time.

An amount of \$3.5 million has been wasted on a project that simply never stacked up. Everyone knew it did not stack up; it was money that never should have been spent. It has become an iconic example of this government's disdain regarding the use of taxpayers' money. It has become an iconic example of waste by the ACT Labor government. This is money that could have been put into health; it is money that could have been put into education; it is money that could have been put into water or roads infrastructure. Instead we have had \$3.5 million expended on a busway that we are now told by parts of the government is not going to go ahead in their lifetime.

The really interesting thing is that Mr Hargreaves spoke about the sustainable transport plan. The sustainable transport plan is something he has sought to distance himself from since taking over the portfolio, but if we are to believe what is in the plan for the ACT, not only is the Belconnen to Civic busway part of the plan but it is part of the plan in the short term. It is one of the short-term priorities. On page 50, at the top of the list of the short-term priorities, we see this:

Construction of busway. Belconnen to Civic busway: description and construction of busway, bus priority measures and stops. This project will connect the major activity nodes along this key route.

That is a short-term priority. On the one hand we have the Chief Minister saying, "Well, maybe in 20 or 30 years," and we have Mr Hargreaves saying, "Not in my

lifetime,” while on the other hand we have a sustainable transport plan that says it is a short-term priority.

The government now need to clarify whether they have allocated \$115 million. And that is the figure they have given us; we know that if they were to go ahead with it that it would blow out to well above that, as we have seen with most of their infrastructure projects, whether it is the prison or the GDE. We could expect that it would blow out.

But if we move to the medium to long-term plans, we see mention of further development of trunk busways—the further development of Gungahlin to Civic, Belconnen to Civic, Woden to Civic and Tuggeranong to Woden busways and bus priority measures. So we either have a sustainable transport plan that is not worth the paper it is written on, that is not worth the hundreds of thousands of dollars that would have been expended on putting it together by the former planning minister, or we have a Labor Party plan for a \$500 million to \$600 million network of busways. It is one or the other.

The current minister needs to clarify the status of this plan. He referred to the plan in his speech. He said that this government has ideas and that Mr Pratt should have been referring more to the sustainable transport plan. Is this document still the plan or is it not worth the paper it is written on? If it is worth the paper it is written on, if we can accept it at face value, not only can we now expect a busway to be constructed between Belconnen and Civic over the next few years, at a cost conservatively of \$115 million, and potentially much more, but also we could expect in the next few terms, if the Labor Party were to be re-elected, that we would see hundreds of millions of dollars, perhaps \$500 million to \$600 million, expended on busways connecting the town centres.

This is the government’s plan. It is there in black and white in their sustainable transport plan. John Hargreaves now needs to say whether that is still the plan, whether they have a \$500 million to \$600 million plan for busways, whether they have a short-term plan for a Belconnen to Civic busway, or whether we can throw this plan away and not refer to it or to any of the measures in the sustainable transport plan again. Mr Hargreaves now needs to clarify that position.

I will also refer to Mr Hargreaves’s position on transport. He referred to some of the measures to try and get people out of cars. Of course, we know that under this government’s plans it is much more about the stick approach to getting people out of their cars. We have seen their draft parking strategy, which is simply about taking people’s car parks away from them to force them onto the substandard public transport system that we have in the ACT. Instead of doing the hard work, they are prepared to simply punish car users. They have no regard for the kind of impact that has on young families in particular—young mothers juggling work and family and trying to get to work. Often they get to work after the early times when they need to get there in many of our town centres in order to get a car park.

This government deliberately says to those young mothers, “We will take your car park away because then maybe you will catch a bus.” For many of these people, it simply will not happen. We know that John Hargreaves is on the record as saying, in

effect, “We want to make Canberra car-unfriendly and cycle-friendly.” Mr Hargreaves needs to back that up, take it to the people and outline what further measures they have to make Canberra car-unfriendly. What other measures does the Labor Party have, apart from taking away their car parks, that will make it much more difficult for Canberrans to drive their cars and to find a park and that will bash them into submission in order to get them onto a substandard public transport system? Mr Hargreaves has a lot of explaining to do.

MR GENTLEMAN (Brindabella) (4.18): Public transport plays a vital role in meeting social, environmental and economic goals in the ACT. The role of public transport will become even more critical to meeting community needs in the future as climate change continues.

The ACT population has been growing at a rate of around one per cent per annum. At the same time, household size continues to decline, reflecting changing family structures. The number of new houses is expected to increase at a faster rate than population growth alone would be expected to generate. The ACT population is ageing. In time, this can be expected to result in an increase in the proportion of the population who are unable to, or choose not to, drive their own vehicles to meet all or part of their transport needs. These social factors highlight the potentially important role of public transport in achieving an inclusive community.

In relation to environmental factors, transport in the ACT contributes about 24 per cent of total greenhouse gas emissions. There are global concerns about the long-term availability and affordability of liquid petroleum supplies. Public transport has a key role to play in better meeting the environmental goals of the ACT community.

With regard to economic factors, Canberra is going through a boom phase. Commercial activities within the city, town centres and parliamentary triangle area are growing rapidly. The City West area is expected to have an additional 10,000 employees within the short term. This is about 40 per cent of the current level of employment in the city.

The government’s Canberra plan, which includes the spatial plan and the sustainable transport plan, recognises the capacity for public transport to continue to provide positive social, environmental and economic outcomes. Consistent with these strategic plans, the government is committed to providing better public transport, improving ACTION services, building better integrated transport infrastructure, improving public transport safety and improving taxi and hire car services.

The government recently announced a package of measures for public transport improvements, as you have heard—worth around \$75 million: the most comprehensive commitment in the territory’s history, spanning bus services, infrastructure, accessibility and safety. Supportive transport infrastructure is an integral component of an efficient and quality public transport system.

The sustainable transport plan identified public transport corridors for progressive enhancement of the efficiency of trunk services to major destinations. Some of these transport corridors incorporate transit lanes and bus priority measures to support

efficient and reliable public transport. The recent major road development, the Gungahlin Drive extension, incorporates bus priority measures to support public transport on the major corridor of Belconnen Way. I was pleased to hear from the minister that the opposition has included transport corridors in its transport policy, but it appears to be in direct competition with Mr Seselja's position on busways.

Mr Pratt mentioned that there is no fleet replacement strategy in the ACT. Last week, there was a \$50 million announcement regarding new buses. Mr Pratt also mentioned comments from the Transport Workers Union. I have a copy of a letter to the Chief Minister from the Transport Workers Union. It says:

The TWU membership at ACTION have asked me to congratulate the ACT Government on the funding initiatives for ACTION Buses announced in the Appropriation Bill 2007-2008 (2) presentation speech. I believe that the measures announced, including an increase in the funding of network services, an upgrade of interchange and bus stop infrastructure, an upgrade of the ACTION fleet and the measures announced to extend half price travel for seniors, will greatly improve Public Transport for the people of the ACT.

In conclusion, let me say that there are a host of initiatives there. They are concrete examples of the Stanhope Labor government's continuing recognition of the importance of a safe, reliable and integrated public transport system.

MR SPEAKER: Order! The time for this discussion has expired.

Adjournment

Motion by **Mr Corbell** proposed:

That the Assembly do now adjourn.

Cystic Fibrosis Association

MRS DUNNE (Ginninderra) (4.23): On Saturday morning I had the great pleasure to attend Kippax Fair and to participate in the LJ Hooker Kippax great garage sale which raised funds for the Cystic Fibrosis Association of the ACT. I understand that, as a result of the work done by LJ Hooker Kippax, they raised in excess of \$12,000 from the garage sale, public auction and silent auction of goods ranging from jigsaw puzzles, bric-a-brac and the like through to power tools and sporting memorabilia. It was great to see what someone described as the high level of corporate philanthropy alive and well in Kippax in support of the Cystic Fibrosis Association.

As members know, I have two children who suffer from cystic fibrosis. Thankfully, neither of them is particularly ill at any time and they probably do not rely on the resources of the Cystic Fibrosis Association as much as many other Canberra residents do.

I had the privilege of meeting Carmel Santosuosso, who on Saturday celebrated the first anniversary of her double lung transplant. Carmel is a young mother of two boys. In her thirties, she was suddenly confronted with declining health; she is a testament

to the great work and research that has changed the lives of people who suffer from cystic fibrosis over the years.

As I said on Saturday, when my eldest child was diagnosed with cystic fibrosis some 26 years ago we were told that she would not live beyond her 15th birthday. As a result of the fantastic research and treatment these days, no parent is told that any more. My experience of visiting children with cystic fibrosis in hospital these days is that they go to hospital much less frequently and are much “weller” than they were 20 years ago. That is because of organisations like LJ Hooker, who have nationally been supporters of cystic fibrosis associations for as many years as I can count—I do not know how many, but it must be nearly 20 years these days—and the work of individual organisations.

Today I would like to pay tribute to all the staff of LJ Hooker Kippax—to their manager, Michael Elton; to Melissa Keenan, who was principally involved in the setting up for the day; and to all of the staff and tenants associated with LJ Hooker in Kippax who donated significantly to the day and made it such a huge success.

Tharwa bridge

MR PRATT (Brindabella) (4.26): I rise to talk briefly about the Tharwa community and the Tharwa bridge saga. I refer to an answer that I got last week to a question without notice to the minister, Mr Hargreaves, about the decisions taken regarding the existing Tharwa bridge and the decision taken to build a new concrete bridge. Last week, in his response to my question, Mr Hargreaves indicated that the Tharwa community were quite happy, quite pleased, with his recommendation in the October 2006 meeting—that the government had decided that it would be building a new concrete bridge. I want to stress a couple of the points Mr Hargreaves made in his response to my question. He said:

When I was talking to the people at Tharwa, I talked about the state that the old bridge was in and put before them a number of options. We discussed those options.

The Tharwa community certainly recall a number of options being discussed. I might add that the primary reason I am standing here today is that the members of the community who have read *Hansard* have taken umbrage at what the minister said. They are deeply concerned that the minister has basically stated that in October 2006 he advised the community what he was going to do and they were quite happy to proceed with the concrete bridge option. The community is upset by that simply because of this: in the advice that the minister gave the Tharwa community, he indicated that there was no option but to build a concrete bridge. I will speak a bit more about that shortly. But, as I said, quoting from *Hansard*, the minister said: “We discussed the options available.” He then went on to say:

We also discussed how the old bridge had deteriorated and what we needed to do to try and rescue it. But there was one overwhelming sentiment expressed at those meetings—and there were a number of them—and that was that the people at Tharwa needed a bridge across that river because that crossing was going to, and did, affect the viability of the village. I make no apologies for moving ahead as quickly as is absolutely possible in getting a bridge across that river.

Those are fine sentiments. If that was the appropriate action to take, I would be the first person to support the minister. But the facts are these, Mr Speaker. The Tharwa community had three meetings between August and October 2006, the first two being progress report meetings by the minister. At least, for the first time, we see the minister now consulting with the community. They point out that the minister said, “The bridge has reached the point—it has deteriorated to such a point—that the bridge is going to fall down; therefore there is no option but to build a concrete bridge.” The Tharwa community maintain that he also said, as one of the options presented to them, that they would be building a dual-lane concrete bridge.

The Tharwa community is saying that, contrary to the advice that was presented to them by the minister, (a) they now have strong contradicting evidence which indicates that the bridge will not fall down; (b) they have strong engineering evidential advice that, for a lot less than it would cost to build a concrete bridge, the old bridge can be restored to at least light traffic load; and (c) in any case, they are getting a single-lane bridge, not a double-lane bridge. So the community is very concerned with the response the minister gave in this house last week in response to this vexed question about that bridge.

Again, we implore the government to take a serious look at all the evidence available now. As to whether that evidence was not available two years ago, that is an interesting point. If that was the case—if the minister and the government can prove that two years ago they simply did not have that sort of engineering advice available to them—the opposition might be somewhat more sympathetic. But the point is that it looks as though, in the haste to spend money on an unnecessary project, we have the Tharwa community still choked by poor government management.

Federal election Work Choices

MR GENTLEMAN (Brindabella) (4.31): Over the past six years, the ACT government has shown great initiative in policy direction, particularly with our health and transport facilities and also in our climate change strategy. I applaud the direction that the federal opposition has taken with its policies that directly focus on Australia and Canberra’s future.

Last week I had the privilege of attending an address by former Prime Minister Bob Hawke. In his address Mr Hawke discussed the importance of the union movement in Australia. Mr Hawke described the presence that the unions provide as a means of fleshing out the Australian idea of a fair go. In this country we are blessed to receive support for all employees through the balance that unions provide. Mr Hawke described the union movement as essential to fair practice and safe working conditions, to which we should all be entitled. Mr Hawke is one of the greatest Prime Ministers that Australia has ever seen and is more than qualified to discuss the issue. Mr Hawke is very supportive of Opposition Leader Kevin Rudd—as I am.

Mr Hawke realises that, as this government realises, there is a struggle for working families. They will have to endure that struggle if the Howard government is re-

elected for another term. Middle-income workers will be crippled under financial strain; government support agencies will be overwhelmed by the influx of families who are unable to support themselves.

The ACT government understands better than anyone the severe ramifications that Work Choices poses on all employees around Australia. Working families will continue to suffer if these laws are not changed. Here in the ACT, this government has shown great initiative by committing to combat the issue of Mr Howard's IR laws and deal with the issues that climate change poses for our environment. It is great to see that the federal opposition is aware of the problems that our society is currently facing and that finally the coalition has to answer for the injustices it has brought to the Australian people.

It is clear to this government, and also to Mr Rudd, that John Howard is not interested in taking this country forward. John Howard is simply interested in finalising his retirement plans. As we all know, if elected he plans to hand over the prime ministership to yet another unqualified Liberal party member. Mr Rudd echoed this sentiment just the other day in his address as federal opposition leader during the launch of Labor's election campaign for the 2007 poll. Mr Rudd realises the extent of Work Choices and what it has done and will continue to do to working families across Australia. As a result, in his address, Mr Rudd vowed to rid Australia of Work Choices and abolish AWAs. Mr Rudd vowed to establish 450,000 additional training places across Australia, with support for up to 65,000 more apprenticeships over the next four years, with places possibly available as soon as April. It is fantastic to see that the Australian people will now have the opportunity to be represented by a government that will support their rights at work.

Labor also understands the severity of climate change and the disastrous effects that it poses for our planet. Mr Rudd is committed to ensuring a future for all Australians. Just the other day, Mr Rudd pledged to immediately ratify Kyoto, a move that the incumbent Prime Minister is not even willing to consider.

Mr Rudd vowed that a Labor government would be economically responsible. Mr Rudd stressed that the Howard government was on an irresponsible spending spree. He said: "This sort of reckless spending must stop." Mr Rudd—flanked by three of our nation's former leaders: Gough Whitlam, Bob Hawke and Paul Keating—delivered Labor's policies towards a future Australia. If elected on 24 November, Mr Rudd will steer Australia towards a safe, clean and knowledgeable future.

The Australian way of life is suffering as a result of an incompetent federal government. Australia will crumble if the coalition continues on its destructive path. The federal government's current IR laws are destructive in regard to workers' rights and fairness within the workplace. Australia has worked tirelessly to establish itself as a proud, developed country with an emphasis on equal opportunity for all. All that the Australian people believe in will be lost if the Howard government successfully gets away with the treacherous IR laws it implemented. The environment will continue to suffer if severe action is not taken immediately to combat climate change. This will not happen under the leadership of a man who believes that climate change is not an important national issue.

What Kevin Rudd is offering—what Labor is offering—is a future for all Australians. Through education, through the abolition of the unfair IR laws and through the fight against climate change, Labor is offering a future for all Australians.

Question resolved in the affirmative.

The Assembly adjourned at 4.37 pm.