



Debates

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Wednesday, 2 May 2007

The Assembly met at 10.30 am.

(Quorum formed.)

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

Speech timing clocks **Statement by Speaker**

MR SPEAKER: Members may not have noticed the changed arrangements which appear on my desk in relation to speech timing. Unfortunately, we have still not been able to get to the bottom of the problem with the installed speech timing arrangements. There is some possibility that the system might have been affected by some of the building work that had to be carried on in the break because of the water damage that we suffered, but we will have to work our way through that. In the meantime, you should not be able to miss the device which appears on my desk. There is one on the Clerk's desk as well.

Mr Smyth: Mr Speaker, does that mean we can now go upstairs to the video referee and get a further ruling if we are not sure about what you are saying?

MR SPEAKER: I am afraid not.

Petitions

The following petitions were lodged for presentation.

Animal welfare

By **Dr Foskey**, from 265 residents:

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

The petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that each year, 250,000 hens are kept in battery cages in the A.C.T. These hens live in less space than this piece of A4 paper. They cannot spread their wings and the end of their beak is cut off.

Your petitioners therefore request the Assembly to effectively ban the use of battery cages in egg production in the A.C.T.

Tharwa bridge

By **Mr Pratt**, from 1,909 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the public safety and security of residents of Tharwa has unduly been put at risk by the closure of the Tharwa Bridge.

Your petitioners therefore request that the Assembly act to ensure that a formal request is made immediately to the Commonwealth Government for assistance in the installation of a temporary low level crossing at Tharwa.

The Clerk having announced that the terms of the petitions would be recorded in Hansard and a copy of each referred to the appropriate minister, the petitions were received.

Financial Management Amendment Bill 2007 (No 2)

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

Title read by Clerk.

MR MULCAHY (Molonglo) (10.34): I move:

That this bill be agreed to in principle.

Although today I present the Financial Management Amendment Bill 2007 (No 2), it disappoints me somewhat that it has fallen on the Liberal opposition to do so. The Financial Management Amendment Bill 2007 seeks to amend the Financial Management Act 1996 to make it a legislative requirement in the ACT for the Treasurer to prepare and table a capital works program progress report for every quarter.

The bill proposes the introduction of new section 26A to the Financial Management Act. This new section details when reports must be prepared and tabled or presented to members of the Legislative Assembly and what must be contained within those reports. The detail of the bill was inspired by capital works program progress reports that were tabled for previous quarters within the Assembly.

The legislatively required reports, which will cover the quarter and the period from the beginning of the financial year until the end of each particular quarter, will have to be prepared within 45 days after the end of each quarter of a financial year.

The reports will provide information for each administrative unit within the government on the amount appropriated in the budget for (1) new works and (2) works in progress and deferrals from previous years. The reporting requirements are detailed in the bill in proposed section 26A (3). They will allow the opposition and the taxpaying public to track any variations in budgeted capital works. Essentially the reports will allow both the opposition and the community at large to track how much was budgeted, how much has been spent and any variations to the budgeted amount.

This is vital information in itself and it should be willingly provided by any government that declares that it is committed to openness and accountability. Mr Speaker, it is worth noting that by custom or convention such reports have long been

tabled in the Legislative Assembly. Mr Stanhope's predecessor as Treasurer, Mr Quinlan, adhered to this practice throughout his time in office.

It is disappointing that the current Chief Minister and Treasurer, Mr Stanhope, has not demonstrated the same commitment to good governance. The reports have always been an important tool for opposition parties and the taxpaying public to keep track of the progress of capital works that have been announced and budgeted for. The last such report was tabled by the ACT government for the December 2005 quarter. Five unreported quarters have now passed.

In question time yesterday the Chief Minister made the claim that the fact the opposition had not raised this matter publicly previously was in some way evidence of his claim that the reports are not a useful tool. I would argue, firstly, that this point is irrelevant: the reports should be in the public domain whether they are being publicly utilised or not. Secondly, despite the Chief Minister's claims to the contrary, the opposition has been aware of their absence for some time.

The Chief Minister was correct in his assertion, also made during question time, that information about capital works is available from other sources, notably annual reports and estimates documents. I will ignore his claim that government media releases present a balanced, unbiased source of information. The release of annual reports and estimates documents occurs only once a year. It is a long time to wait to access information in a timely fashion. It makes it very difficult for members of the Assembly and those who are providing the funding—the taxpaying community of Canberra—to keep track of progress in relation to promised capital works that governments make at budgets and during election campaigns.

As an example of how the reports are of use to the community and opposition parties, my colleague Brendan Smyth has publicly raised the example of the government's \$500,000 commitment to rejuvenate 40 destroyed ovals—ovals destroyed as a consequence of the drought. The minister later revealed that the commitment would not proceed, because of the drought. But without capital works program progress reports, it is impossible to track whether the money has been spent, held over or committed to another project.

We should not have to go on fishing expeditions in relation to every promise made by this territory government involving capital works funding. The information ought to be in a publicly available document. There is a duty for the territory government to make this information available in a periodic, regular and timely fashion.

The Chief Minister suggested that press releases, budget papers and annual reports were other sources of this information, but they do not provide this type of information in the timely way that quarterly capital works reports would.

This is why I was quite distressed to read in the *Canberra Times* on Wednesday, 18 April the following comment from an unnamed Treasury official:

The reports were not user-friendly to the public as they were largely comprised of complex spreadsheets. [They] were determined ... to more appropriately be used internally within government.

This is weak reasoning that fails to recognise—as the Chief Minister also failed to do in his response to Mr Stefaniak’s question yesterday—that these reports did provide useful and necessary information to the people of Canberra.

But let us put aside the insult to the intelligence of the people of Canberra and the question about their ability to read a report. The comment by the Treasury official reflects a government that has ceased to be transparent and that has abandoned the principles of openness, responsibility and accountability that were included in the Labor opposition’s 2001 code of good government. It is therefore surprising that the comment was not made by the Treasurer himself.

Surely, if a government has decided to so consciously depart from good governance principles, the leader of that government should be willing to publicly take responsibility, and should not stand behind a Treasury official. In 2001 Jon Stanhope announced Labor’s commitment to openness, responsibility and accountability. In 2007 it was left to a Treasury official to announce that the government had abandoned those same principles.

Mr Speaker, I was interested—as I am sure you were—to read the code of good government document. I agree that governments should be open, responsible and accountable. However, it is very difficult to reconcile this position with the decision to withhold information about the progress of capital works projects from the taxpaying public, especially in the situation we have now where the territory has had the greatest raft of tax increases we have known since self-government.

We have had increases in rates, annual charges, water abstraction charges, fire and emergency services levies and utilities taxes—on our phones and internet facilities. We have had all of these charges going up and yet the same government that says “You are living beyond your means” is not willing to tell you the state of its expenditure on capital works projects which are a significant part of the territory’s budget outlays.

In addition to the failure to table the reports in line with longstanding convention, information has been withheld from the Liberal opposition. I have twice approached Mr Stanhope’s office with a request for information or a briefing on the status of capital works projects. No information or assistance has been forthcoming. This is without precedent in my almost three years within the Assembly.

That is why the ACT Liberal Party has been forced to move this amendment to the Financial Management Act. It is not something we do lightly, but we cannot get the information at the moment. We are being ignored in our requests for a private briefing on this information. We are having to go to the Assembly and, on behalf of the people of Canberra, seek legislation that compels the government to adhere to the levels of accountability to which it claims a great level of adherence.

It is sad that the ACT Labor government has departed from its so-called long-held convictions of principles like openness and accountability. The idealism that we saw in 2001 contained in the code that I cited seems to be rapidly going out the door as

centralisation and control of the territory government move increasingly to the Chief Minister and as he takes over more and more responsibility from his cabinet.

The people of Canberra have a legitimate expectation that their government will be transparent in its operations. The government has ignored that expectation. It has disregarded the need for openness and responsibility. The unwillingness of the current government to provide these reports is an indictment of their commitment to good governance principles.

I hope that the government will support this bill, but I would not be surprised if it failed to do so. The rationale for opposing it would be very thin. Failure to support the Financial Management Amendment Bill 2007 (No 2) would be another example of a government that, exercising a majority in a unicameral parliament, has departed from its own stated core values. It is one thing to commit on paper to values like openness, accountability and responsibility but, as in the example of those opposite, it is quite another entirely to adhere to those principles in practice.

I have no qualms in stating that the Liberal Party in the ACT is committed to open, accountable and responsible government. These good governance principles, which require information about things like capital works to be available publicly, should be a cornerstone of any government's administration. I commend the bill to the Assembly and urge the government, and indeed the Greens, to embrace the principles that it seeks to enshrine in legislation.

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

Animal Welfare Amendment Bill 2007

Dr Foskey, pursuant to notice, presented the bill.

Title read by Clerk.

DR FOSKEY (Molonglo) (10.45): I move:

That this bill be agreed to in principle.

I am very pleased to introduce the Animal Welfare Amendment Bill 2007 because I believe that it will assist the ACT to get out of a dilemma that it experienced after a more comprehensive bill was accepted in this Assembly some years ago.

This purpose of the bill is to amend the Animal Welfare Act to ban the keeping of hens in a battery cage environment. This is not a new concept in the ACT. Since the late 1970s there have been consistent calls to ban the keeping of hens in battery cages. The Greens previously introduced legislation similar to this bill, and that legislation was passed by this Assembly in 1997. Despite it being passed, battery eggs have continued to be produced here in the ACT in the 10 intervening years, due to the enacted legislation not being able to commence because some states did not agree to an exemption of the Mutual Recognition Act. I will go into more detail about that in a moment.

The reason for the timing of this bill is that the Agriculture and Resource Management Council of Australia and New Zealand, also known as ARMCANZ, made a decision in 2000 that all existing battery cage sizes had to be increased, as well as comply with the 1995 cage standards by 1 January 2008—in a little over six months. The increase we are talking about here is—wait for it—from just under three-quarters of an A4 page per bird to around an A4 page per bird. The idea is that in these new cages the birds will at least be able to lift their heads up; at the moment they cannot. There are multiple birds per cage section, but that is how much room is allowed for each bird in a battery cage environment. We also know that the cages are high rise.

The ARMCANZ decision will impact on the Pace egg production facility here in Parkwood. Their cages were installed in the late 1980s. Whether they like it or not, they will have to spend an awful lot of money in upgrading their cages to give the hens a little bit more room and to comply with the legislation. Because this is going to be a substantial financial cost to the facility, the Greens believe it is a good opportunity for the government to revisit the options for egg production in the ACT while causing least upset to the industry.

When the original bill was debated in the Assembly, the ALP supported it. We hope to see this support echoed in the passage of this bill too. If human rights applied to animals, the government would have no qualms about supporting the bill.

There are three major commercial systems of layer hens: battery cages, barn lay and free-range. Many members of the Assembly would be familiar with the issues around keeping hens in battery cages. The conditions in these battery cages are simply cruel and cannot provide for the behavioural and physical needs of hens. The pain and ongoing suffering of these hens is something that we, as legislators, should take responsibility for.

Caged hens are unable to stretch their wings fully, perch, scratch the ground, nest, dust bathe or exercise as they would in barn or free-range conditions. These hens are susceptible to plumage damage, maladaptive behaviour and bone fragility—not to mention a shortened life span, though, as they are generally slaughtered at around 72 weeks of age, this is not really an issue.

The ethics around keeping layer hens should lead us all to agree that there are far superior ways to produce eggs that do not involve locking hens into tiny wire cages. I have heard it argued that feather pecking and cannibalism are worse under barn layer systems than in battery cages, but this can be the case only when hens are otherwise locked in tiny cages, without room to stretch or opportunities for interaction. The same argument could be used for keeping prisoners in solitary confinement so that they cannot fight with each other. I do not think that the government, with its Human Rights Act, would go there.

Chooks generally can recognise only around 80 to 100 other birds; when a flock is larger than this they cannot establish a pecking order. Aggressive pecking and cannibalism need to be well controlled in these alternative systems. The best way to do this is to reduce the flock size per barn. Economies of scale are the main constraint

to having small flocks. We have to remember that integral parts of animal welfare concern not only basic access to food and water and prevention of illness, but also behavioural freedoms. That is what is lacking in a battery cage environment.

Many other countries and jurisdictions around the world have already banned battery cage egg production. They include Switzerland, Sweden and many parts of Austria. The European Union is in the process of phasing in a complete ban, which will be in place by 2012. This bill continues to take the ACT on its path of bringing ACT animal welfare legislation up to world's best practice.

There is community concern about this issue. In September 2005, ORIMA Research conducted a survey of Canberra residents' attitudes to egg purchasing and production. The survey found that 84.6 per cent of all respondents felt that it is cruel to keep hens in battery cages. Seventy-three per cent of all Canberrans surveyed felt that keeping hens in battery cages should be banned. This sentiment was agreed to by 81.7 per cent of younger respondents aged between 18 and 34.

These results show a large increase in the proportion of people who dislike battery hen egg production when compared to survey results from only seven years previously. A national survey conducted by People Data (Aust.) in 1998 showed that 65.1 per cent of respondents thought that battery cages should be banned. The increase shows that, as people become more aware of the issue, they are more likely to support a ban on battery cages.

The bill I have presented today is different from the legislation that was passed in 1997. That legislation had a tri-fold effect: to ban the sale of caged hen eggs in the ACT, to ban production of caged hen eggs in the ACT and to require labelling of all eggs sold in the ACT according to how the hens are kept. This had many complex implications regarding national sales regulations and competition principles.

The main problem with the 1997 act was that the inclusion of sales of eggs triggered a need for the unanimous agreement of heads of government from all states and the Northern Territory to an exemption from the federal Mutual Recognition Act. Gaining such an exemption is not impossible. Tasmania has legislation relating to crayfish sales which needed such an exemption and South Australia has an exemption for its container deposit legislation. However, in our case the states voted against the exemption of our no caged hen egg sale legislation; thus, even now, 10 years later, we are still unable to put the act into practice.

The 1997 act is still sitting on the ACT legislation register. It could commence at any time through the support of the states and the Northern Territory. The ALP supported the passage of this act, as I have already mentioned. I encourage it to take up the issue with state counterparts even now; then we could also go ahead with the ban on battery cage egg sales in the ACT.

But today's bill is a simple bill. It aims to ban the keeping of hens in battery cages within the ACT. That is an achievable ban. The real impetus behind the bill is that Pace has to upgrade its ageing cages within the next seven months, due to the ARMCANZ decision, as I have previously mentioned. We know that there will be substantial costs involved with this. Rumours are circulating that Pace has been

talking to the government about a compensation package for it to pack up and leave the egg production facility in west Belconnen anyway. As members will be aware, I asked the Chief Minister a question about this yesterday. I am still very keen to hear the answer; he did say he would get back to us.

This issue comes at the same time as the new residential area of west Macgregor is being released for land sales. Perhaps Pace sees this as a good opportunity to avoid complaints by residents who find themselves living next to a smelly, intensive battery hen facility. Many will also find that morally repugnant.

The Greens have long been arguing for an end to this type of practice across Australia. We think that battery hens are a thing of the past, born out of the industrial era when maximising production came at the expense of everything else. In those times we did not believe that native people were anything more than savages—remember?—and therefore could be victims of our plan to colonise Australia, among other countries. Now we know that hens are sentient beings. We have to act from that knowledge.

In recent times there has been an increase in the number of free-range and barn laid eggs produced in Australia. This is a direct market response to consumers making a choice as individuals by purchasing non-battery cage eggs, even when there is a cost factor. However, there is a limit to how much market pressure works. Despite the fact that 84.6 per cent of Canberrans think that the production of battery cage eggs is a cruel system, 13.1 per cent of shoppers report that there are no free-range options where they shop.

Mr Speaker, this is why we have governments. They still have their place in this free market society. The Greens' preference is to move completely towards free-range egg farming. In the meantime, it is more practicable to allow barn layer systems of production, because they also allow the space and facilities for exercise and natural behaviours that are simply not possible in cages.

Banning battery systems is just one step in improving the welfare of hens. There is also still a lot of work to be done on improving the alternative systems of free range and barn laying if they are going to be run on a large scale. Neither of these systems is perfect when stocked densely; good husbandry practices are the key to all systems.

Having chooks in the backyard is probably the best means of egg production for the wellbeing of hens and control of their food, thus ensuring egg quality, but understandably it is not practical for many households. At the moment, it accounts for around four per cent of production in the ACT and around 12.5 per cent in New South Wales—although these can only be estimates, of course. I understand that the government is looking to nominate the ACT as a UNESCO biosphere area. Battery cage egg production might be a perfect example of an industry that many people might not see as compatible with this concept.

Another issue around egg sales is the confusion that consumers have when they get to the shelves and are faced with a range of barn laid, farm fresh, free-range, vegetarian, omega 3 enhanced and RSCPA endorsed eggs, alongside the cage eggs. The ACT has the most helpful and informative egg labelling legislation in Australia, after a Greens bill was passed in 2001 requiring that all eggs sold in the ACT clearly indicate the

conditions under which the hens that produced the eggs were kept. We believe that the ACT labelling requirement has been successful. Along with my counterparts in other states, we will continue to campaign for a national labelling standard.

The Greens understand that our bill has major implications for the employees of the industry in the ACT, as well as for the hens. Our preference would be to see Pace convert its facility in Parkwood to free range. There is more than enough space there, and Pace Farm already has plenty of experience with free-range egg farms. Pace is one of the largest egg producers in Australia. The Parkwood facility produces around 210,000 eggs annually, which is less than 10 per cent of its annual egg production but is still significant.

As well as battery cage eggs, Pace produces Liberty Barn Laid RSPCA endorsed eggs, Natural Living Free Range eggs and organic Eco Eggs. This shows that Pace is a highly adaptable company—it certainly has a good adviser on egg labelling—and has a sound understanding of the various commercial systems available, of the consumer demand for eggs and of the fact that when people buy an egg they prefer to know that a chook did not suffer laying it. In other words, Pace has its eggs in many baskets. I believe that, if it was concerned about its employees, it would have the ability to convert.

Another advantage of conversion to a free-range system is that more people are needed to run less intensive egg production processes such as barn laid or free-range systems than are needed for a battery cage operation. This would lead to more employment in the area rather than a sudden loss of jobs. We are talking about 30 existing jobs here, by the way; most of these jobs are in grading and packing rather than in hen husbandry.

I am not sure why, but since 1998 the workforce at Parkwood has decreased from around 50 to around 30. I expect that the government would be happy to work with Pace should they wish to convert their operations to a barn laying system or free-range system. This would ensure that there are no job losses. By the way, the computer on the desk has just gone into rest mode.

Another concern of mine is that in this town there is a distinct lack of regard for people who do not have degrees and white collars. Although there is not a general employment shortage overall in the ACT, I am aware that some employees at Parkwood feel they have no other job opportunities. The decision to take the tender for recycling at Mugga tip away from a not-for-profit organisation and give it to a business with a profit focus is also likely to reduce jobs for this group of workers. That scheme was actually set up to help low skilled unemployed people, so there is an irony there.

I was pleased when the government agreed to my motion to investigate a targeted employment creation and support strategy with a particular focus on low paid employment. The government reported that it believes that its policies are better focused on providing training and skills to enable low income earners to increase their productivity and thereby move forward in the labour market to better jobs with higher wages. Perhaps the ACT Skills Commission could play a role in looking at alternative employment opportunities for low skilled workers.

I expect that Pace and the government will come to a mutual agreement to the benefit of workers as part of any compensation package. Although I am keen to see the end of battery egg production in the ACT, I will also continue to work for employment opportunities that provide job satisfaction as well as training opportunities for people who do not have a lot of scope in Canberra's job market.

I have included poultry carcass production in this bill as well as egg production. Although this is not an issue at present, it seems better to make it clear to industry now that hens are not to be kept in battery cages for any reason, and thus prevent any future disputes.

The ACT was the first jurisdiction in Australia to introduce legislation banning tail docking in dogs. This is another important step in the improvement of animal welfare across the country. After the ACT banned tail docking in 2001, all other states and territories followed suit within a few years. The Greens believe that a ban on battery cage egg production in the ACT will be another important and firm step towards hen welfare reform in Australia. I commend this bill to the Assembly.

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

Gaming Machine Amendment Bill 2007

Mr Stefaniak, pursuant to notice, presented the bill.

Title read by Clerk.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (11.04): I move:

That this bill be agreed to in principle.

Mr Speaker, I present the Gaming Machine Amendment Bill 2007. A quirk of the Gaming Machine Act 2004 is a prequalification requirement that an intending applicant for a gaming machine licence must first hold a liquor licence for some 12 months. The amendments at clauses 4 and 5 of this bill remove that 12-month period of prequalification—for individuals in clause 4, and for clubs and other corporations in clause 5. The other eligibility criteria provided for in the act continue.

This matter came to my attention when a local business owner, a tavern owner, was seeking to sell his business. The prospective buyer was from Queensland and did not hold a liquor licence. The Gaming Machine Act eligibility criterion requiring an applicant for a gaming machine licence to first hold a liquor licence for a period of 12 months would bring that sale to its knees. Despite considerable legal advice and discussion with officials at the ACT Gambling and Racing Commission, no solution could be found that would enable the sale to proceed and for the new owners to comply with the licensing requirements.

As members may be aware, in the ACT in taverns there is a limit of two class B machines, in hotels with 10-plus rooms of accommodation there is a limit of, I think, 10 class B machines and, of course, for clubs there is a cap on the number of poker

machines. In the particular case I mentioned, negotiations for the sale had been continuing since late last year and the parties to the sale had originally agreed on a settlement date of 20 December. However, that could not take place because of the difficulties encountered with the legislative requirements.

The owner, naturally enough, wanted to buy the tavern with all its fittings and fixtures, including the two class B machines. The sale was prevented because the two class B machines, under current law, would have to be taken away. The new owner could only get a liquor licence and then in 12 months time would be able to apply for a gaming machine licence. The criteria, effectively, are identical in terms of fit and proper persons and it seems to have been a glitch.

I appreciate the efforts taken by the various bureaucrats to try to sort this out. The purchaser and the vendor also tried to look for other remedies that might have been available to law, but all to no avail. Accordingly, the settlement has not taken place because of the difficulties encountered with the legislative requirements. The effect of this has been that the seller and his family have suffered considerably. The delay in the settlement has cost them over \$20,000. I am advised that at one stage it was about \$2,000 a week. They have purchased a business elsewhere and they are paying two mortgages. There is significant pressure on the family and the owners are at the point of having to sell the family home in order to be able to sustain the business.

I wrote to the Treasurer about this in February this year to draw to his attention this story and the quirk of the act. He replied on 21 March and in relation to the 12-month prequalification requirement indicated:

I have ... agreed to an amendment to the Act to remove this requirement to ensure that there are no adverse consequences for ACT businesses.

I was very happy to get that reply. I was pleased to get it and I appreciated his support in finding a solution. Subsequently, discussions have taken place between my office and the Treasurer's office, the result of which is this bill here today. I was hoping the government might declare it urgent so it could be finalised tomorrow, but I am advised that after the debate on this bill it will be adjourned and the parties to the sale will have to wait another month, until we come back, before being able to take advantage of the amended law.

At the risk of appearing to pre-empt the outcome of the debate, I do look forward to the government's support. I am grateful for the support offered and the assistance given by the Treasurer and his office to date. The seller is very much appreciative of the assistance given and also the assistance given by the various government officials who tried to find another outcome for this, but apparently there is none. This will affect in a very positive way a reasonably small number of businesses, but important businesses, in the ACT who provide a lot of benefit to our community in the form of entertainment as it relates to pubs, taverns and clubs. I commend the bill to the Assembly.

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

Environment—greenhouse gas emissions

MS PORTER (Ginninderra) (11.10): I move:

That this Assembly calls on the Commonwealth Government to work with the States and Territories to establish a national greenhouse gas emissions trading scheme.

Mr Speaker, a very small window of opportunity has recently opened. Precisely how long it will remain open is uncertain, but what is absolutely certain is that, if we do not act collectively, intentionally and determinedly, the window will have closed and the opportunity to avert the looming environmental disaster will have left us. The issue is climate change, and the motion is our opportunity in this chamber to provide a very significant contribution to address the great challenge that lies before us.

It has been said that the federal government have been dragging their feet on this urgent issue. The government, and specifically the Prime Minister, are clearly sceptics on the matter of climate change, and by their nature conservatives tend to act slowly and at times painfully on matters of national and international importance. However, at this time I do not wish to highlight the mistakes or shortcomings of the federal government on this crucial issue. Rather, I wish to invite that government, through unanimous consensus of this chamber, to act now and join with the states and territories so that vital time and crucial resources are not wasted on duplication of processes and the reinvention of existing frameworks.

As Mr Hargreaves said in his recent media release on this matter, the commonwealth government simply must do more on climate change. He said:

Rising greenhouse gas emissions pose a significant threat to the social, environmental and economic welfare of ACT citizens, present and future. It is our responsibility to future generations to act now.

Without a doubt this is the big ticket item as far as the community is concerned and without fail week after week when I conduct my mobile offices people approach me about this issue.

Fortunately, I can report that the ACT is taking leadership in the region and on a number of fronts. The ACT government is serious about a sustainable ACT and its strategies on sustainability clearly identify the need to integrate this in all decision making, promote it within the community, develop indicators and reporting systems and establish partnerships.

It is the issue of partnerships that we are addressing today. Back in August 2006, before the Stern report hit the airwaves, long before the federal government woke up to the fact that there was anything to worry about, the ACT joined with the states and the Northern Territory to establish the National Emissions Trading Taskforce to develop a multi-jurisdictional emissions trading scheme for consideration by all the state and territory governments.

This is the biggest challenge that has faced our generation, and, if we do not take action, concentrated and collaboratively, this will be not only our challenge but the challenge of our children and our children's children. Whilst people may have been forgiven for imagining that there was some kind of hysteria in relation to this issue in the past, it is now beyond doubt. I think you would agree, Mr Speaker, that the evidence is overwhelming.

The latest report by the Intergovernmental Panel on Climate Change is the most recent piece of evidence that puts the matter of human culpability beyond question. It talks about a cumulative and devastating change that will, if not halted or tempered, change the face of our globe forever. It will create millions of climate change refugees, melt the icecaps, alter sea temperatures and result in the loss of 40 per cent of animal and plant species and the loss of part or all of the Great Barrier Reef and of other water based ecosystems.

It will fundamentally alter the nation's weather patterns, which will result in the southern half of our continent becoming dryer and the subject of storms that we have recently experienced. The northern part of Australia will experience more flooding and cyclones and both northern and southern Australia will suffer from destructive forces associated with an increased frequency of extreme weather events.

This is not science fiction, Mr Speaker; it is scientific consensus on an unprecedented scale. Whether those on the other side wish to accept it or not, this is our global reality. We can take action now, even though we are a small jurisdiction, or we could take the federal government's, or at least Mr Turnbull's, stated approach, "the boiling frog" approach. Mr Turnbull's approach appears to be that we are a small country and therefore we cannot fight it, only adjust to it. We can slowly adjust, like a frog, until we die!

His idea that because we are only a small country—and I presume he means in terms of population—we have no responsibility for our behaviour, our industry and our footprint on this earth is clearly ridiculous. We could take this argument to its logical conclusions in our approach to many other matters; I am sure members could think of a few things. Of course, the ACT is only a small place. Should we, therefore, wash our hands of all of this and carry on regardless and let everything go to hell in a hand basket?

But this is not the approach of this government and this is not the approach of its state and territory colleagues. The ACT contributes only one per cent of greenhouse gas emissions in Australia. The UK government recently announced a draft bill to drastically cut emissions by 2050. Tony Blair said:

The case for action is the final piece of the jigsaw to convince every single political leader ... that this must be top of their agenda. ... we are heading towards catastrophic tipping points in our climate unless we act ... we will not be able to explain ourselves to future generations if we fail.

Again he said:

Climate change is ... a challenge that I believe is probably the biggest long-term threat facing our world.

We have introduced many sustainable practices and initiatives already. Sustainability is about long-term change, cultural and institutional. Whilst providing a long-term vision, short-term achievements are also vital to demonstrate progress and to motivate further progress through reward and inspiration. Examples of this include the ACT government's Greenfleet, compressed natural gas buses, and the purchase of hybrid vehicles for the government fleet. And might I add that I, amongst others here in this place, have opted to drive these excellent vehicles.

Other initiatives that people would be familiar with are designed to encourage people to leave their cars at home. There are too many achievements for me to list them here, but I am sure members are very familiar with key strategies in relation to energy, water, urban design, sustainable schools and rehabilitation, including incentives, education, partnerships and legislation.

Importantly, the Electricity (Greenhouse Gas Emissions) Act 2004 was passed in July of that year. This act establishes the greenhouse gas abatement scheme, which commenced on 1 January 2005. The scheme is designed to reduce or offset greenhouse gas emissions associated with the production of electricity. In its first year of operation it reduced emissions by nearly 317,000 tonnes, the annual equivalent of 74,000 cars. As the ACT works in tandem with New South Wales on this scheme, and New South Wales has recently amended its legislation to extend its effect to 2020, it has been necessary for the ACT to amend its legislation to reflect the new time lines.

The state and territory National Emissions Trading Taskforce, established in August 2006 to develop a multi-jurisdictional emissions trading scheme, is a significant and very important step. The environmental integrity of the scheme is of central importance in the scheme's design and the objectives of the emissions trading scheme are to reduce greenhouse gas emissions, improve certainty for investors, constrain greenhouse gas emissions in the stationary energy sector through careful management and minimise the economic impacts, promote least-cost reduction in emissions, and cap the cost of compliance.

Until such time as there is widespread international action on emissions reductions, the competitiveness of Australian trade-exposed industries must be protected. The future is uncertain and the scheme needs to be flexible in the face of new information emerging from climate change science, international obligations, and the cost and nature of new technologies. The design must provide the means to assist those most adversely affected by the reduction of emissions through the scheme. The above objectives shape the ACT government's discussion paper.

The proposed scheme will allow for the economic transition as smoothly as possible by gearing the cap on emissions to a rate that is manageable, and gradually reducing the cap as time goes by, to allow for a balance between the need for flexibility and the need to provide certainty to industry and to the market. It is the preference, of course, of all states and territories that the commonwealth be involved in this groundbreaking scheme.

Obviously, any policies designed to reduce greenhouse gas emissions have associated costs. Compared with alternatives, it is widely acknowledged that emissions trading is

a practical, flexible and relatively low-cost means of achieving an emissions target for some sectors, and importantly potentially including the energy sector. So why is the federal government so slow in coming to the realisation that we have a problem? Mr Howard is quoted in the *Sydney Morning Herald* of 11 February as saying:

I'm not going to adopt an emissions trading scheme in Australia that burdens our industries whilst allowing others that are less efficient and greater pollutants to get an unfair advantage.

However, the Australian Conservation Foundation executive director has been quoted as saying that he sees the future generations facing a bill 10 times that of the amount devoted now to the federal government Murray-Darling scheme. That is 10 times \$10 billion, Mr Speaker—\$100 billion—if the carbon trading scheme does not place strict enough limits on greenhouse gas emissions that companies are allowed to produce.

Last year the Lowy Institute poll found that seven out of 10 people believed global warming to be a critical threat to Australia's interest over the last 10 years. Last October, when this government and its state and territory colleagues commenced this vital work, where was Mr Howard then? Mr Howard's position flies in the face of the obvious: not acting now will cost more. We need to choose to act immediately. The Stern report says that failing to act now will cost five times more economically. Mr Howard has been caught napping and is no doubt ashamed of his stance on the Kyoto protocol. The emperor is found to have no clothes.

Mr Howard has obviously suddenly woken up to the economic and political damage that could be created by global warming, let alone the environmental and social damage. He has missed the boat. Indeed, at the last COAG meeting and in his "Australia Rising" speech in Queensland recently—I presume that is his vision for the future—he again downplayed the importance of this issue. He is quoted in the *Canberra Times* on 24 April as saying that independent action by Australia would not materially affect the climate but would jeopardise the economy.

Yet at the ALP national conference just last weekend the Leader of the Opposition, Mr Kevin Rudd, committed the party, once in government, to join with the states in meeting the target of a 60 per cent reduction in greenhouse gases by 2050. And, of course, not only did he commit to the target; he committed to a number of other measures to enable ordinary Australians to feel they have a part in the process in very practical ways. Of course he is to be applauded. Do we now see the commonwealth joining the Leader of the Opposition on this issue? I think not. I expect, though, that later in this place all members will support this motion.

MR MULCAHY (Molonglo) (11.22): Mr Speaker, the opposition support some of the intention but not the substance of Ms Porter's motion and for that reason I will be moving an amendment that will call on the Assembly to note that on 10 December 2006 the Prime Minister announced the establishment of a task group to look at greenhouse gas emissions trading schemes.

The task force is currently inquiring into a global emissions trading scheme in which Australia could participate and it will report by 31 May. If the task force decides that

this is the best way to proceed, the ACT should work closely with the Australian government on the development of a trading scheme. Any cooperative work between the Australian government and the states and territories should be conducted in light of the joint government-business Prime Ministerial Task Group on Emissions Trading. This task force is advising on the nature and design of a workable global emissions trading scheme in which Australia could participate.

Once the task force has reported on what it believes to be the best nature and design, the Australian government will be in a position, as Ms Porter's motion suggests, to work with the states and territories to establish a national greenhouse gas emissions trading scheme. This task force is scheduled to report by 31 May, at the end of this month. For that reason I think that we are jumping the gun a little bit until we see what comes from that group. My office has been in liaison with Mr Turnbull's office on the progress of that task force and we await with keen interest their report and their recommendations in relation to a trading scheme.

I welcome the chance to speak about climate change again in this place. It is an important issue and it deserves discussion. I welcome another opportunity to discuss environmental issues in this place, but will say, as I have before, that we need to do more than just talk; we need action at a territory level. It is all very well to call on the Australian government to act and work cooperatively, but it is worth noting that we are still waiting for the ACT government's climate change strategy—a call that I have made repeatedly and that Dr Foskey has made repeatedly—and there is a resounding deathly silence from the territory on this matter.

It smacks of a measure of hypocrisy for government members to get up in this place and chastise Mr Howard over his approach to climate change when, in fact, in the territory here, we are dragging the chain. The people of Canberra have been waiting for this strategy for some time, and it must be said that, given the amount of times we speak on the environment during matters of public importance, private members' business and adjournment debates, it is surprising that it has not happened sooner.

We hear that the latest strategy of the government is to centralise things further in the Chief Minister's office. Mr Speaker, I know you have expressed publicly concern that we are getting to a situation where we are becoming rapidly a one-man band. And, of course, when one person tries to do everybody's jobs things start to fall off—the wheels start to fall off. In terms of climate change and the environment we have had a lot of rhetoric from those opposite, but they have been light on action.

I know the opinion polls would be telling the territory government that this is an issue that is front and centre in the public's minds, but the public in this town are very well educated and they will be sceptical of a government that trots out statements of feigned concern but fails to perform. The government seems very willing to talk about environmental matters but it seems much more hesitant to take action.

Of course, with the environment it is easy to fall back on rhetoric and emotion: "We must act. The Australian government has failed to do anything. Kyoto will save us." This rhetoric pays no attention whatsoever to the level of cooperation required to address climate change, the efforts of the Australian government to work cooperatively with other players on the international stage and the failure of many of

the Kyoto signatories to successfully address climate change issues. I did not hear Ms Porter talk about that. But I would advise her strongly to look at the performance of a number of the European signatories and she will know that it has been more talk than action.

It is easy to talk but it is much harder to do something tangible that has an effect. I have previewed that the “no regrets” approach which will form part of the ACT Liberal Party’s environment policy will promote action and enable people to make changes that, without impacting massively—adversely—on their lives, will help to address climate change issues. I see from the latest ministerial reshuffle that the Chief Minister has now taken full charge of the environment. The responsibility is now his and his alone to ensure that his government finally addresses climate change within the ACT.

The intention of Ms Porter’s motion that I agree with is that a cooperative approach is needed. I have no issue there. The need for a cooperative approach is particularly evident in the ACT and certainly our track record in terms of our commonwealth dealings leaves a deal to be desired. Our efforts will have an impact only if they are part of a nationwide effort and, similarly, Australia’s efforts will have an impact only if they are part of a cooperative approach on the international stage.

The ACT Liberal Party believes that the Australian government should work cooperatively with the states and territories to develop strategies to deal with the problems presented by climate change. Indeed, I think it should be noted that the Australian government are working cooperatively, not just within Australia but also on the international stage, to address climate change issues. Their approach is to be commended.

An example of the cooperative approach adopted by the Australian government is the recently announced global initiative on forests and climate and I would encourage Ms Porter to take a look at that. The Australian government announced in March that it has committed \$200 million to kick-start a world-leading initiative to significantly reduce global greenhouse gas emissions. This particular allocation of funds will help to support new forest plantings, limit the destruction of the world’s remaining forests and promote sustainable forest management. This project will be developed in cooperation with regional countries and relevant international organisations.

The project will have a practical, measurable outcome: if the world could halve the rate of global deforestation, greenhouse gas emissions would be reduced by three billion tonnes a year. This is an example of Australia, because of its strong economy, being able to take the lead internationally and launch projects that will have a significant impact on the environment.

As I have said before, you would have to be living in the Dark Ages if you were not willing to recognise that there are currently significant climate issues. Clearly, action is needed to address the issues that may be contributing to climate changes. The Australian government’s approach is something that can be mirrored at a local level. It is interesting, and further evidence of the success of this approach, that the federal Minister for the Environment and Water Resources today released new figures, the

its Kyoto targets. However, it is important to not rush into action. It must be considered and measured and take into account the economic consequences for Australia.

A small jurisdiction like the ACT on a national scale, or indeed Australia on a global scale, can play an important role in meeting the challenges of climate change. It is important that the policies that we adopt to meet these challenges recognise the economic and social situation particular to the ACT. Similarly, on a global scale Australia must, when addressing the serious challenge of climate change, take into account national goals for economic prosperity, energy security and environmental sustainability.

Climate change is an issue that requires a global response and Australia's capacity to participate in that response is dependent on the national economy's ability to fund programs and implement change. It is an economy, of course, that again has delivered us relief from any further increase in interest rates today, as a consequence of the low-level inflation, enabling so many Canberra home owners to prosper and ensure that they improve their wealth and enjoy prosperity which we have now enjoyed for going on 11 years under the Howard government.

The advantages that Australia possesses with abundant coal, gas and uranium reserves and renewable assets are critical. As the Prime Minister has said, Australia's contribution to reducing greenhouse gas emissions must take into consideration these advantages. Any action that puts the strength of the economy at risk destroys the foundations from which any response to climate change must originate. We cannot embark on measures that do not take into account what the cost is to our country. We cannot simply parrot what we are told to by other parts of the world that have no regard for the Australian economic position.

But we do have to make important steps forward in terms of climate change. We need to approach this in a bipartisan way nationally. We need to have positive initiatives and not let this simply become an area of point scoring, which I see so often at the federal level. So I move the following amendment to Ms Porter's motion:

Omit all words after "That this Assembly", substitute:

"(1) notes that the Prime Ministerial Task Group on emissions trading, announced on 10 December, is currently inquiring into a global emissions trading scheme in which Australia could participate and will report by 31 May; and

(2) calls on the ACT Government to work with the Australian Government after the task force reports to implement any recommendations that it makes."

DR FOSKEY (Molonglo) (11.33): I will start my response to Ms Porter's motion with a call for the implementation of the ACT climate change strategy. It was promised at the end of December and promised again at the end of February, and here we are, in May, and still no climate change strategy. Climate change is the biggest issue facing Australia. It is at least as big as industrial relations, as Ms Porter said, and still the ACT has no climate change strategy.

It must be embarrassing to be a member of this government and having to talk about the issue of climate change in the absence of a strategy. Even so, it is good to hear Ms Porter, who has apparently just caught up with the literature on climate change, giving us that familiar litany of impacts that the Greens have been talking about and trying to avoid throughout the 1990s. This Assembly thought the matter serious enough in 1996 to set in place a greenhouse strategy with targets—admittedly, they are looking rather low now, but there were targets—to try to avert the impact of greenhouse gases.

I think it is very sad that Ms Porter had to go as far as the United Kingdom to find a leader to quote on this topic. The sad fact is that at the moment there is a lot of rhetoric about climate change in political circles. We are hearing a lot of talk but we are not seeing a lot of action.

It is well known that the Greens support any moves to address climate change and to establish the necessary systems to reduce greenhouse gas emissions. This motion is a no-brainer and we will support it. I am less certain about Mr Mulcahy's amendment, which I have just received. It would be good if these things could be circulated beforehand.

Again, the debate on the climate crisis has descended into the usual ACT Labor government versus federal coalition government debate. This is the way we are playing out the climate crisis in the ACT, and it is just not good enough. We are letting down the people of the ACT. We need to start talking about this in a real way, not asking when so-and-so is going to report or when the states are finally going to get their emissions trading scheme happening.

On the positive side, the Greens have always supported the ACT's own greenhouse gas abatement scheme, and we applaud moves by states like New South Wales and South Australia to introduce significant renewable energy and greenhouse gas abatement targets. We, too, would like to see the commonwealth government work with the states and territories to establish a national emissions trading scheme. I really hope that that is what comes out of this report on 31 May. If it does, we will support it.

But there is a related issue here that deserves addressing, and that is that the Stanhope government seems to believe that it can simply coast along, riding on the back of other people's ideas and initiatives, and still have us believe that it really cares about the environment. A really good example of this occurred a couple of weeks ago. Mr Stanhope, who is now the minister for climate change—joining his sexy colleagues Malcolm Turnbull and Peter Garrett, who also have responsibility for climate change, and who would not want to join them!—said that he saw the responsibility for acting on climate change as belonging to individual people. How disappointing.

We heard from Ms Porter that the ACT produces only one per cent of greenhouse gases. Mr Stanhope is turning us into free riders. He says, "Let the other people make the changes. Even though we are the highest consumers of energy in Australia, and therefore amongst the highest consumers in the world, we do not have to do anything because we produce only one per cent of greenhouse gases in Australia." I thought we

were the national capital, with a leadership role. The greenhouse gas abatement scheme is a case in point. It was implemented in 2003 by the New South Wales government but it was not until 2005 that Mr Stanhope's crew jumped aboard. Even now, much of the management of this scheme is conducted in New South Wales and not in the ACT.

Similarly, this motion puts pressure on the commonwealth government to lead the way in establishing a wide-ranging emissions trading scheme, something that was recommended by the National Emissions Trading Taskforce in 2006. Why do we need another inquiry and another report? We have already been told we need to do this. Presumably, having thrown their weight behind this, Mr Stanhope and his government can now just throw their hands up and say, "It is not our fault nothing is happening. It is up to the federal government." This is not good enough. This government should be doing more to entrench emissions trading schemes, rather than just parroting the recommendations from the task force's report.

They could start by strengthening the ACT's own greenhouse gas abatement scheme. As I am sure you are all aware, the scheme establishes annual greenhouse gas targets and requires companies that produce greenhouse gases, principally electricity companies, to meet mandatory benchmarks as to the amount of emissions they reduce. In 2005, the benchmark was 7.96 tonnes per capita. In 2007, it was reduced to 7.27 tonnes per capita. That is a small but important decrease that forced producers to work harder at cutting emissions. But with the scheme set to run until 2012, there do not seem to be any plans to drop the benchmark targets any further, which effectively means that ACT industry has already done all it has to do for the next five years to address emissions. Does this seem like the policy of a government that seriously wants to address emissions?

The European experience has shown that a carbon emissions market can actually lead to increased emissions unless targets are set low enough—descending targets—to produce an overall reduction in greenhouse gases. There should be a timetable by which these benchmarks are made progressively lower each year, rather than being allowed to plateau at a level that looks impressive but does not change much.

The government is lagging on its climate change strategy. Every question I have asked the government about its research into how greenhouse gases and climate change will affect the ACT reveals that they have done no research whatever. I commend the federal Labor government for commissioning its version of the Stern report. We badly need it.

If we are really serious about an emissions trading scheme, why not do what many governments have done in Australia? Melbourne has just made itself a zero emissions precinct. In our own municipality, in Farrer, people got together, because the government was not doing anything, and agreed to work towards being a zero emissions suburb.

Why not join the 494 local and provincial governments in America that got so sick of their federal government not signing the Kyoto protocol, not doing anything, that they said, "Together we have the power"? Why cannot the state and territory governments—all of them Labor and all of them talking about their concern for

climate change—get together and make an emissions trading scheme a reality? It must be a real scheme, of course, one with real targets that get lower every year.

If they cannot do that, then what is the good of Labor governments? What do they really offer that is different from what the Liberal government is offering? It is not good enough to indulge in rhetoric and push responsibility onto the federal government. This issue is so serious that it demands action from every level of government. Labor governments cannot just say, “The federal government is not doing anything and we are too small, so we will not either.”

Ms Porter: Mr Deputy Speaker, the Chief Minister was going to speak but he is not here.

MR DEPUTY SPEAKER: Ms Porter, you can speak to the amendment or close the debate.

MS PORTER (Ginninderra) (11.43): The government will not agree to the amendment. The Prime Minister’s task force was announced on 10 December. I ask: why so late? The Prime Minister has said that we need to develop frameworks on an emissions trading scheme. Blind Freddy can see that it is too late. What about what exists already? What about the work that has been done already by the states and territories? That work began in August 2006. It has been done. We want the Prime Minister to join with us and not let the states and territories go it alone. We will go it alone, and we are quite happy to go it alone.

The Prime Minister also said that to commit this country to reducing greenhouse gases emissions by 30 per cent within 13 years must do economic damage to Australia. That response to the Stern report shows how much commitment Mr Howard has to reducing greenhouse gases in Australia. He boldly declares that a target that requires emissions schemes to work will do economic damage to Australia. In the short term this naive commitment flies in the face of other people’s experiences, and Dr Foskey has spoken about other experiences around the world. The United Kingdom economy and employment rate have both grown in spite of the specific reduction in targets that they have set and achieved.

Dr Foskey missed the point when she said she thought the states and territories were waiting around for the federal government to come to the party and that we think we are such a small place that it does not matter. The whole point of what I was trying to say before was that all of us, every one of us, do need to take responsibility. It is not the fact that we are a small territory that matters, but the fact that we have joined with the other states and territories and we are already doing the work.

We will be making further announcements, and I am sure the Chief Minister will talk about that later, but it is a fact that we have joined together with other states and territories. We are doing the work. We are reducing our greenhouse gas emissions. This amendment misses the point.

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) (11.46): Ms Porter

should be congratulated for bringing this motion before the Assembly. There is no doubt, and I think we all accept it—most of us do—that issues of greenhouse gases, global warming and climate change are amongst the most important issues facing the globe, and indeed local communities and nations. I think it is fair to say that if people were stopped and asked, if there were a vox pop on the most important issues facing the world and the issue that most threatens the world, the majority of people, including Canberrans and Australians, would certainly answer, “Climate change.”

Interestingly, I think that in the context of the nature of the national debate they would nominate climate change ahead of terrorism as an issue of greater significance for the world and the future of the world. I think that it is interesting and important in the context of the resources that we devote to each of those two major issues that the world is facing. Having said that, whether or not the current drought that we are facing is caused by climate change, I think it is a taste of what we can expect unless we all do our bit to tackle this problem of climate change.

Mr Smyth: You are a sceptic!

MR STANHOPE: I am not a climate change sceptic at all. I think the case has not been yet made that definitively allows us to conclude that this particular drought is a response to climate change. But certainly I think it is a harbinger of what we might expect as a result of climate change. Indeed, the internationally renowned economist Sir Nicholas Stern has suggested in his report that global warming could shrink the global economy by as much as 20 per cent. That is on top, of course, of the massive dislocation, human misery and change or damage to the environment that climate change would cause. But Stern also tells us that taking action now to address this urgent issue would cost just one per cent of the global gross domestic product, as against a possible 20 per cent loss or damage.

Recently the Intergovernmental Panel on Climate Change handed down its fourth report, entitled *Climate change 2007: the physical science basis*. In that report the IPCC finds that warming of the climate system is unequivocal and is evident in increases of global average air and ocean temperatures, widespread melting of snow and ice and a rising global mean sea level; that at continental regional and ocean basin scales numerous long-term changes in climate change have been observed and carbon dioxide is the most important anthropogenic greenhouse gas and is growing at a larger rate during the last 10 years.

At this stage we are not sure what those opposite think about climate change. We know they contribute greatly to it, but are yet to enunciate a policy on tackling the problem. We know that the only source of policy the Liberals in this place have is the Prime Minister, and the Prime Minister is actually a climate change denialist who has recently moved along the spectrum to become a climate change sceptic, he says, because he has taken—I think we all know this in our hearts—note of the opinion polls. As I say, while we do not know what the Liberals in this place think, because we have not yet seen a policy or any inkling of one from them, we know that Tony Blair, in reviewing the Stern review, said he believed that it had shown that the scientific evidence of global warming was overwhelming and its consequences disastrous.

I am pleased with the progress that we have made and that heads of government around Australia at state and territory level have made in addressing some of the vacuum that has been created as a result of the refusal of the Howard government to implement or embrace the Kyoto Protocol principles. Unlike the federal government, state and territory governments have recognised the importance of addressing climate change and are in the process of developing a national emissions trading scheme which at this stage, it has been accepted by all states and territories, should come into effect in 2010. I believe the national emissions trading scheme proposal that has been developed is, to date, the most effective policy response that could be made in Australia and ensures a flexible way of achieving greenhouse gas abatement in the transition to what we all acknowledge needs to be a carbon constrained future.

A carefully designed national emissions trading scheme could provide a mechanism for the Australian economy to transition more smoothly to that future and to link Australia to international carbon markets. The European Union has recently established its own emissions trading scheme, and other regions and nations are actively considering emissions trading approaches.

Creating a market for greenhouse gas emissions and emissions reductions has the potential to provide flexible and low-cost abatement options while accelerating the adoption of existing and new technologies. The state and territory governments established the National Emissions Trading Taskforce to develop a multijurisdictional emissions trading scheme for consideration by state and territory Labor governments.

In passing, I note and acknowledge the new policy enunciated by the Labor Party in relation to climate change. I think all Australians accept—and Mr Howard is now in something of a panic—that the federal Liberal government has sat on its hands and it has been the Labor governments that have committed to a serious attempt to cut emissions, indeed by 60 per cent by the year 2050. That is a target that has now been accepted by all Australian state and territory governments. We look forward to seeing how, through measures such as carbon trading and increasing investment in innovative green technologies, the economy will be strengthened.

We are now seeing signs of the Prime Minister's desperation. He knows he has been caught short and that he has not engaged with climate change. He has remained one of the world's last sceptics or deniers of climate change. He has refused to accept it as a reality and continues to parrot his greater concern for the economy. The damage that will be caused to the economy through climate change really has not been part of the equation that he has taken into account in developing a national response to climate change in Australia. Creating a market for greenhouse gas emissions and emissions reduction has the potential to provide very flexible and low-cost abatement options, while accelerating the adoption of existing and new technologies. The state and territory governments have established a task force to do just that.

It has to be acknowledged that the ACT, as a small jurisdiction with a relatively small population, is a similarly small contributor to global greenhouse gas emissions. We Canberrans create about one per cent of Australia's emissions and Australia contributes about one per cent of global emissions. We all need to do what we can, and there is an important need for governments to show leadership. This is a national

and global problem. The ACT government has implemented, and will continue to implement, policies to ensure that we do our bit to tackle global warming and that we do what needs to be done to secure the future of Canberra, this region and Australia.

One of the most effective actions that we have taken to date as a community has been through the introduction and implementation of the greenhouse gas abatement scheme that, in its first year of operation in 2005, reduced greenhouse emissions by 316,000 tonnes of carbon dioxide. That 316,000 tonnes reduction in carbon dioxide is equivalent to the removal of 73,000 vehicles from ACT roads for a single year. Currently we also run two highly effective programs to reduce our greenhouse footprint: the Home Energy Advice Service and the ACT energy wise program. The advice service provides advice on energy efficiency over the phone and answers email inquiries. Appointments can also be made to discuss more complex issues with energy efficiency specialists.

Between November 2004 and March 2007, 1,242 Canberra households completed ACT energy wise audits. Under the ACT energy wise program, for just \$30 a professional energy auditor from the home energy advice team will visit the home, check the features of the house that affect energy use and identify where savings can be made. Participants receive a written report that sets out a plan to capture the energy savings identified. Home owners who spend at least \$2,000 on energy efficiency improvements identified during the audit are eligible for a \$500 rebate.

Those are just a couple of the examples that I have time to mention in this limited period. There are a range of others, and I certainly look forward in the next month or thereabouts to releasing a climate change strategy that will actually take this community through the next decades in relation to addressing this major issue for the nation.

Question put:

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

The Assembly voted—

Ayes 6

Mrs Dunne
Mr Mulcahy
Mr Pratt
Mr Seselja
Mr Smyth

Mr Stefaniak

Noes 9

Mr Barr
Mr Berry
Mr Corbell
Dr Foskey
Ms Gallagher

Mr Gentleman
Ms MacDonald
Ms Porter
Mr Stanhope

Question so resolved in the negative.

MS PORTER (Ginninderra) (12.00): In closing the debate, I remind members, as the Chief Minister has just done, that the ACT government has a number of practices already in place. The Chief Minister did not have time to list all of them, but I will list a few more for the enlightenment of those opposite.

Some key strategic achievements between 2004 and 2007 include initiation of investigations into the development of sustainable legislation for the ACT; commencement of an investigation into possible United Nations Educational, Scientific and Cultural Organisation declaration of the ACT as a biosphere reserve; commencement of the ACT energy wise program in December 2004; passage of water efficiency labelling standards in March 2005; and coordination of a whole-of-government approach to the development of policies and programs constituting Think water, act water, including garden smart and smart water hoses, dual-flush toilet rebates, residential water tune-ups, programs established to interest ACT residents in saving water in their homes, water audits for schools and the sustainable school program. These are all designed to improve water efficiency.

Other achievements include a national energy market reform program underpinned by national electricity law and rules that came into effect on 1 July 2005; sustainable principles underpinning the rehabilitation of the lower Cotter following a decision to reconnect the Cotter dam to the ACT water supply; commencement of work on the ACT energy policy and ACT climate change strategy—which the Chief Minister has talked about—development of sustainable urban design principles to underpin major projects, such as the Molonglo Valley, and planning reforms, including such things as City Hill and the ACT correctional centre. Other issues, such as trying to encourage people to get out of their cars and the use of the bike racks that I am sure we are all quite familiar with have previously been mentioned.

I remind members that the Australian Capital Territory is a member of the Council for the Australian Federation. On 9 February, the council issued a communique on climate change, and I want to read from it. The communique states:

Climate change is one of the pre-eminent challenges for our economies and for the Federation. Climate change is of critical significance to State and Territory interests and the national economy. We have a key role in the areas of water, energy transport, land-use planning, environmental protection and agriculture. As States and Territories, we have already led the way on a climate change response in Australia, through commitments such as emissions reduction targets, the implementation of renewable energy schemes and the development of an emissions trading scheme ...

1. Governments must work together to deliver a national response
2. Prompt action is essential
3. Efficient, effective and enduring investment is the key
4. A national emissions trading scheme is an indispensable step ...
5. A national emissions trading scheme must be designed to stimulate investment in new low emissions technologies while at the same time protecting Australia's energy intensive, export industries.
6. Australia must maintain its competitive advantage
7. Adapting to unavoidable climate change will require governments, industry and the community to work together
8. Governments need to create an investment environment that promotes new economic opportunities
9. Governments must establish accreditation, assessment and reporting tools
10. International linkages are essential
11. Decisions on adaptation and mitigation must be informed by the highest quality research

As we are aware, the premiers and chief ministers requested that the Prime Minister place the development of a national emissions trading scheme on the agenda for the last COAG meeting and had hoped that this would see the Prime Minister come to his senses, but to no avail. The commonwealth still refuses to commit at this time and, regardless of whether or not this federal government comes to the party, the states and territories will be introducing an emissions trading scheme by the end of 2010.

If a federal Labor government is elected this year, we will be joining together with that government to introduce such a scheme. The opposition leader has already made that commitment. Members would be aware, I am sure, of numbers of articles that have been appearing in the media on this very subject because the media have suddenly woken up to the fact that it is happening.

In an article in the *Sydney Morning Herald* on 31 March, Ross Gittins gave an overview of the different arrangements that could be implemented, either carbon tax or greenhouse gas emissions schemes. He concluded the article by saying, "You finally accept trading schemes as the main game." Today the *Financial Review* carries a full page statement on the matter of climate change, entitled "To all Australian governments on the economic impact of climate change in Australia", under the name of five well-known and respected financial managers. I do not think these people are known for jumping on bandwagons. They say:

A market-based emission reduction scheme provides the most efficient means to substantially reduce the costs of emission reduction over time, by encouraging industry to develop and implement low emissions technology and by facilitating changes in consumer preferences.

The article is under the name of Paul Brennan, Alex Erskine, Saul Eslake, Richard Gibbs and Geoff Weir. As I said before, I do not think they are the kinds of people that necessarily jump on the latest bandwagon.

In conclusion, I want to quote the words of Martin Luther King Jnr. He said, "It would be fatal for the nation to overlook the urgency of the moment." Obviously he was talking about something else, but his words at a different time and in a different context nonetheless sound the warning. These days of environmental peril are, perhaps, for us a defining moment—defining for each citizen and for us in this chamber, defining for our families, this territory and this nation. It is incumbent on all here, those few who are elected to represent the many, to carry the burden not only for this generation but also for many generations to come.

Upon our shoulders rests the future welfare of our unborn children. It is for their welfare and our legacy that this great challenge provokes us. It is this challenge that compels us to think beyond ourselves that we in this place might embrace, with its consequences, so that we may choose to lay a foundation of hope and not despair, of joy and not sorrow and of a positive vision and not a devastated landscape.

The words of Martin Luther King Jnr bear repeating: "It would be fatal for the nation to overlook the urgency of the moment." It is on this ground, on the great weight of evidence before this chamber that I would expect members to pass this motion.

Motion agreed to.

Low income earners—concessions

DR FOSKEY (Molonglo) (12.08): I move:

That this Assembly:

(1) notes:

(a) the importance of concessions to low-income ACT residents; and

(b) the ACT Government:

(i) was conducting a wide ranging review of its concessions program between 2001 and 2004; and

(ii) is yet to respond to or release the findings of this review; and

(2) calls on the ACT Government to:

(a) complete the review of concessions; and

(b) present the findings and a government response to the Assembly by December 2007.

The provision of concessions plays an important role in government efforts to reduce the effects of poverty. Concessions can have a significant impact on the ability of people on low incomes to access economic and social opportunities in the territory and thus to participate in community life. They can directly reduce the costs of many important services for people at risk. The provision of concessions was identified as an important mechanism to alleviate poverty by the ACT Poverty Task Group in its December 2000 report, *Sharing the benefits*.

That statement is from the July 2002 ACTCOSS submission to the ACT government's review of concessions. The review was never released, and it is an interesting story that we really only learnt the facts about today. The review, however, did have quite a bit of time, effort and taxpayer funding put into its production.

Perhaps the issue that led to this review would have been forgotten if not for the ACT government's 2006-07 budget. The government's attempts to cut government spending had significant effects on those disadvantaged ACT residents who try and survive on low incomes in this rather expensive territory. The 2006-07 budget was, as the Greens have said a number of times, bereft of a social conscience.

The concessions issue might also have been forgotten if it had not been for the federal government's WorkChoices and welfare to work programs which, when coupled with the ACT government's budgetary changes, place greater barriers to the ability of the ACT's most disadvantaged residents to access economic and social opportunities.

In a just world, all citizens would have free, equal and affordable access to essential goods and services. But such is not the case because governments across Australia have adopted the user pays principle for a range of services that people used to receive at no cost, except, of course, for the cost that they paid through their taxes. We find ourselves in need of a consistent and effective ACT government concessions policy to ensure that, despite user pays principles, low income and disadvantaged residents can have fair access to essential services.

In December 2000, the ACT Poverty Task Group recommended an inclusive stakeholder review of the effectiveness and adequacy of current concessions and rebates in assisting people affected by poverty to participate in the community. The Liberal government of that time accepted that recommendation, as did the succeeding Labor government. The Liberal and Labor governments went on to spend almost \$50,000 on consultants for this project. I also understand a number of community groups, including Care and ACTCOSS, took the time to make detailed submissions to this review. It is a shame that this money and time did not result in positive changes to concessions.

Over the past 10 months I have spoken many times about the impact the 2006-07 budget has had on Canberra's low income and disadvantaged residents, and specifically the total lack of any progressive policy within its rates and levy increases. I have also spoken of my concern about the absence of an increase in community service obligations relating to the Utilities Act amendments made late last year. I was told the government would wait and see if any increase in community service obligations were needed in a year's time, but wait and see does not help our constituents in the ACT who are living in poverty in the here and now. Nonetheless, I will be interested to see what the government decides when that year is up.

If the government is to take such drastic budgetary steps as it has done in the 2006-07 budget, should it not also assess the consequences of those for Canberra's most vulnerable people. A government that was committed to its social plan would do this, but the evidence indicates that this government's commitment to its social plan has dropped. We need this government to re-commit to its social policies, and words are not good enough for us any more. We simply do not believe them. We need this government to take action that shows it still cares. This motion gives the ACT government an opportunity to do that. By agreeing to it, while I doubt all will be forgiven, I believe some hope could be restored.

Under the federal government's welfare to work program, many single parents are no longer eligible for their parenting payments, and countless people living with a disability are no longer eligible for disability support pensions. Under the 2006 welfare to work reforms, they are being moved onto the meagre Newstart allowance, with all its reporting obligations.

In the ACT, as a result of welfare to work, over 1,250 people with disabilities could lose \$46 per week and those who choose to study full time will receive up to \$166 per week less. Even if they get a job for the required 15 hours per week, their weekly disposable income will be \$99 less than if they were on the disability support pension, which is hardly a fortune.

There are around 800 single parents in the ACT who will also be affected. If they are not successful in getting jobs or if for some reason they are not able to get jobs, they will receive \$29 less per week once their youngest child turns eight; that is, when their youngest child starts costing more. Those who study full time will receive \$63 less. There is a real incentive to improve your skills base. Even if they acquire the required work of 15 hours a week at the current minimum wages, their weekly disposable income will be \$96 less than on the pension. Welfare recipients also face a loss of federal government concession cards when they are taken off these benefits. That means they will lose their health care and disability pension cards.

Most ACT concessions are directly linked to Centrelink evaluations and benefits. These include, but are not exclusive to, the water and sewerage rebate, the property rebate, public transport and vehicle rebates and taxi subsidies. We find ourselves in a situation where vulnerable ACT residents will be living on less income and no longer eligible for concessions. It is a double whammy caused by the federal and ACT governments. There is a big bridge between being on a pension and earning a wage. Once those concessions are lost, a very big jump in income is required to achieve the same level of wellbeing and access to services that were available to concession holders on low incomes. Believe me, I know that from experience.

Even without the ACT and federal government changes in social policy, the ACT faces a situation where, according to the most recent ACTCOSS budget submission, current rebates and concessions are inadequate for low income households, while some concessions are no longer appropriate. A surprising aspect of the ACT government's current concessions scheme is that renters are not eligible for concessions on utility charges, despite the fact that they are more likely to live on a low income than home owners. Yet a number of private schools and churches not in a position of hardship continue to receive utility concessions. It seems the current concessions scheme lacks both horizontal and vertical equity.

For some reason the water and sewerage rebate and the property rebate are not available to health care card holders, but the energy concession is. A 65 per cent concession is available on water and sewerage supply charges but not on consumption costs. And although telecommunications is seen by governments to be an essential utility, no concession for its use is available, only debt recovery schemes, and then it is too late for many. We have a mishmash of concessions about which no-one, it appears, has a holistic view.

According to ACTCOSS, the cost of utilities is increasing and consumers are paying more than ever before. That will continue with water scarcity and the impact of greenhouse gases on electricity production. Obviously, low income households are most affected by this. A robust concessions policy is needed to ensure that the costs are ameliorated. I note that there is no reciprocal acknowledgement of pensioner status across New South Wales and the ACT. This seems a pity, given the proximity between ACT and southern New South Wales pensioners and their movement across borders.

I expect that the government will tell me in reply how much money has been spent on concessions over recent years. But this is not what the motion is about. The Greens

would always welcome more assistance to people living in poverty, but the real questions this motion puts to the Assembly are these: how effective is the ACT government's concessions scheme in assisting those people living on poverty; does it really assist those living in poverty or does it assist others instead and can it be made better?

What the Greens and, I believe, members of the public and community sector are looking for is a consistent and effective whole-of-government policy on concessions. We want each concession program to have a clear description of the need it responds to. We want to know that concessions are effectively targeting the most disadvantaged residents. Given changes in people's ability to access a federal government health care card, for example, we believe that some people will be financially worse off and therefore unable to access concessions.

While I recognise that ease of administration is the basis of eligibility for some ACT government concessions on federal government determinations, I am wondering if this is still the most appropriate method of confirming eligibility for some concessions. A balance needs to be sought between equity of access to the concession and the ACT government administrative costs for the concession scheme. I do not think we are currently experiencing a fair balance in this area. We want to be able to identify clearly in ACT budget papers how much the ACT government is putting into its concessions program, and not just utilities concessions. I mean everything—from spectacles to home owner rebates. We want the public to have access to a document that outlines the concessions available to them in an electronic and hard copy format. Not everyone has access to the web and not everyone can navigate through the multitudes of government publications.

We also want to know that the current and future governments of the ACT will undertake a periodic review of concessions effectiveness, perhaps every three years, rather than just rely on the haphazard, once a decade portfolio-specific reviews that currently take place. As circumstances change so, too, should concessions. For example, while the \$35 rebate on glasses for pensioners has been available, the cost of glasses has probably gone up.

Some concessions will inevitably become outdated over time, despite the care taken in their design. This highlights the importance of continued periodic reviews of concessions to ensure that they have not been made redundant by time and are still meeting their objectives. We want to see some consistency in the approach that is taken to concessions. For example, concessions and concessional rates currently provided to pensioners but not health care card holders should probably be extended to health care card holders to ensure horizontal equity.

Given the amount of money spent each year on concessions and the crucial role they play in poverty alleviation, it is important that each concession effectively responds to community need and represents good value for the government and the taxpayer. I hope the ACT government lends its ear to the concerns I have raised—I notice the amendment that has just been circulated—and acknowledges the problem that lies before it. We need to do something about concessions in the ACT. It looks as though the ACT government has the courage to tackle the problem, but I look forward to hearing what the minister has to say on this topic.

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

Sitting suspended from 12.23 to 2.30 pm.

Ministerial arrangements

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): For the information of members, I wish to advise that Mr Hargreaves is not at question time today; he is on official business. I am happy to take questions and if I can assist, I will; otherwise we will respond to questions in due course.

Questions without notice

Public service—credit card use

MR STEFANIAK: My question is to the Chief Minister. Chief Minister, yesterday you took on notice a question as to why only one ACT government department out of four could detail how much money was spent, through credit cards or other means, on discretionary items like accommodation, conferences, courses and training, meals, drinks and catering. As Chief Minister and Treasurer, you are ultimately responsible for how your departments and agencies use public money. How will the new Shared Services Centre announced in the last budget be able to provide this information in a more timely manner?

MR STANHOPE: I did indeed take on notice yesterday a number of questions and I believe I will have the opportunity today to respond to the questions that I took on notice. Indeed, to the extent that the question asked just now begs the question in relation to an answer that I took on notice yesterday, to which I have not yet responded, to some extent I am compounding, I guess, the issue by seeking to answer a question which is posed on a question that was asked yesterday which I took on notice and to which I have yet to respond. I think it is perhaps not particularly helpful to then make a range of statements or assumptions.

Mr Stefaniak: It's about the new Shared Services Centre.

MR STANHOPE: But in relation to the new Shared Services Centre I am very pleased to be able to advise members today, having been given this opportunity, that, despite the flood of criticism and cynicism and scepticism expressed by members of the opposition in relation to the Shared Services Centre and its establishment, it today is operating extremely well. It is on target, it is on budget and the savings that the government anticipated are being achieved, and being achieved within a year.

As I have always said in relation to the Shared Services Centre and its establishment, the long bow that the opposition has drawn in seeking to draw comparisons between a jurisdiction such as the ACT and the establishment of a shared services centre here, and experience in other jurisdictions, really was seriously flawed and showed a grievous lack of understanding of the nature of governance or the structure of the

ACT public service flowing from the fact that we had already moved some way to a sharing of services within the ACT, particularly in relation to procurement and IT services, issues or advances or reforms that had not been advanced at that stage in other jurisdictions—clearly Western Australia.

The Western Australian experience or the establishment of a shared services centre in Western Australia of course started from essentially a zero base in a very large jurisdiction, whereas we did not. We started with some advances, some significant reform already having been achieved, particularly in relation to major areas of administration, and the Shared Services Centre to date is very much on target. Its structure is in place. One of the inhibitors that we are currently facing is the availability of appropriate accommodation. We see that, of course, just across the road from the Assembly in relation to refurbishment of what will be the home of the Shared Services Centre which continues today.

The Shared Services Centre has been a significant success, despite the enormous cynicism and opposition that the Liberal Party has shown to the concept. And it will, as a result of its success and the achievements—

Mr Smyth: I raise a point of order, Mr Speaker. The question wasn't about the setting up of the Shared Services Centre; it was actually about whether it would be able to deliver more timely information. There is only a minute and a half left; perhaps you might come to the question.

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

MR STANHOPE: The question did presuppose, and of course I think it was important to have the context, the context being that the Liberal Party has opposed from the outset the establishment of a shared services centre—suggested that it would never work, that it was a flawed process and that it would fail. Well, it has not failed. It has been a singular success and, of course, to the extent that we have in the Shared Services Centre centralised and reformed the delivery and the provision of services to all areas of governance we can expect all of the benefits that we imagined from the creation of the Shared Services Centre to flow.

In relation to the provision of information that was referred to in the question, in relation to the question that was asked yesterday to which I have not yet responded, of course there is a whole range of reasons around why certain information in relation to certain aspects of governance is more readily accessible in some portfolios than others. That is reasonable and to be expected; information is kept in different formats in different ways and is treated differently. It is there but of course it would be expected that under individual arrangements for the recording and the accountability around credit card expenditures that different agencies with the systems in place and the resources available would take a different time and a different approach to the provision of that information. I do not think there is anything particularly remarkable about that.

MR SPEAKER: Supplementary question?

MR STEFANIAK: Thanks, Mr Speaker. I do not think the Chief Minister has actually answered the first part, which I would like him to do. The supplementary is this: Chief Minister, why are your departments unable to provide information as to their expenditure through existing accounting systems?

MR STANHOPE: They are not unable to do that.

Mrs Dunne: So they choose not to?

MR STANHOPE: They do.

Mr Smyth: So they broke the FOI law?

MR STANHOPE: No. They have provided information. The answer to the question is that, if they are able to provide that information, they will. It needs to be understood that the government has not yet responded to this particular report. It is a report that was delivered in February.

Mrs Dunne: This is the *Canberra Times*. We are not talking about the Auditor-General.

MR STANHOPE: So this is the crime; this is the sin—that departments did not respond according to a *Canberra Times* timetable. I understand! I misunderstood.

Opposition members interjecting—

MR SPEAKER: Order!

MR STANHOPE: So the question is: why didn't ACT government departments respond to the *Canberra Times* according to the timeline set by the *Canberra Times*? Oh, well, goodness me; what a sin! What a shocking sin of governance! What a shocking sin of omission!

Opposition members interjecting—

MR SPEAKER: Order! Chief Minister, that was not the question. Members of the opposition should cease interjecting. If the Chief Minister wishes to, he can come to the subject matter.

Mrs Dunne: If he wishes to? That is a new standard.

MR SPEAKER: Take no notice of the interjections.

MR STANHOPE: I misunderstood the question, Mr Speaker. I beg your pardon. I thought the question was: why didn't ACT government departments respond through some official process to a request for information? From the expansion that we now have on the question, I understand that the sin that is behind the question is that the ACT government, through its departments, did not respond to a journalist in accordance with his timelines in terms of meeting the deadline for the submission of an article.

Mrs Dunne: No, to the freedom of information—28 working days.

MR SPEAKER: Order, Mrs Dunne!

MR STANHOPE: ACT government departments have the information available and ACT government departments will provide that information. Indeed—and this is the point that I was making before I was interrupted—the ACT government will be making a full submission to the public accounts committee in relation to these matters. That is a committee chaired by the shadow Treasurer, Mr Mulcahy. I am sure that there will be an engaging, if not entertaining, conversation or exchange with Mr Mulcahy in relation to the use of credit cards. I look forward to it enormously.

Water—Canberra supply

MS MacDONALD: Mr Speaker, my question, through you, is to Mr Stanhope in his capacity as Minister for the Environment, Water and Climate Change. Could the Chief Minister please report to the Assembly on how the Murrumbidgee River is being used to help Canberra's water supply situation?

MR STANHOPE: I thank Ms MacDonald for the question. I am able to report that Actew has informed me that, for the first time in this drought, it has started to take water from the Murrumbidgee pump station on the Murrumbidgee River. It is the first time in the context of this drought, although I believe water has previously been taken from the Murrumbidgee, I think, in the 1960s.

In the context of the current drought and the grave circumstances we face in relation to our water supply, Canberrans are today drinking water from the Murrumbidgee River. That is a direct response to the very low reserves, now 31 per cent and continually falling because of the continuing drought. It is part of the contingency planning which has been in place now for some years because of the severe drought conditions, the reduced rainfall and the seriously reduced inflows we have suffered in our catchment.

It is relevant to any discussion on water and our water situation and the debate on how best to secure our water supplies to understand that, in 2006, we suffered the worst inflows into our dams since records were kept, at around 10 per cent of the long-term average. In work that Actew have done in recent years on securing power and water supply into the future, Actew had proceeded on the assumption, based on advice from CSIRO, that, as a result of climate change and bushfires, we might anticipate a long-term average reduction in flows of the order of 30 per cent. In the last five to six years, the reality is that we have suffered a 60 per cent reduction in our inflows, which is twice as serious as the CSIRO had previously advised as a likely worst-case scenario as a result of climate change and the damage from the potash caused by the fire which would not impact for perhaps up to 15 years in terms of inflows into those dams.

The advice I have as of today is that, at this time, at the conclusion of the first third of the year 2007, our inflows in 2007 to date are marginally worse than they were in 2006. Many of us did not anticipate that we could have two years of inflows at that

dramatically low level of about 10 per cent of the long-term average. At this point, as of today, inflows are as bad as they were in the year that we imagined was a complete aberration, a year of 10 per cent flows. That highlights the gravity of the situation that we face.

In the first four months of 2007, our catchment has received 4.6 gigalitres of water. In this period last year, the figure was 6.5 gigalitres. We have received 2 gigalitres less into our dams to date, in 2007, than we received last year. The long-term average inflows into our dams for this period, January to April, is 43.5 gigalitres. We have received 4.6 to date this year, against a long-term average of 43.5. It illustrates how grave the situation that we face is, in the context of having received those 10 per cent of inflows across the entire year last year.

We cannot be sure or assume that, despite reasonable recent rain, and only reasonable—I am not sure whether the Bureau of Meteorology forecasts that the drought is over are ambitious or positive—the El Nino that we are told has passed will be followed by a breaking of the drought. It is relevant, though, that Actew has done significant worst-case planning. That is why we have pumped from the river now. That is why we have this capacity to take this water. (*Time expired.*)

Public service—credit card use

MR SMYTH: My question is to the Chief Minister. Chief Minister, information obtained as a result of a *Canberra Times* FOI revealed that on 4 June 2006 an employee identified as employee A spent \$644.71 at the Glenfiddich Warehouse in Stockholm.

As an example, this individual discretionary expenditure represents the average increases to rates and other local government charges introduced in the 2006-07 budget for, on average, two Ainslie residences. Chief Minister, what was this money expended on?

MR STANHOPE: I thank Mr Smyth for the question. Where was this?

Mr Smyth: It was at the Glenfiddich Warehouse in Stockholm, Chief Minister, on 4 June 2006.

MR STANHOPE: I do not have a brief on that, which I do regret. Having regard to the interest of the opposition in these matters, I will get a detailed briefing on all of the expenditures and provide information on every single expenditure. I regret that I do not have it.

I understand, however, from my colleague the Minister for Health that the executive involved is a member of the Department of Health. Ms Gallagher actually has those details.

MS GALLAGHER: Yes, I was briefed on expenditure of an official from ACT Health. From my recollection—and I will correct the record if I am wrong—it related to expenses whilst attending a conference overseas. I can provide you with the

details. I have certainly been briefed on it. My understanding is the expenditure was appropriate.

MR SMYTH: I ask a supplementary question. I assume it will go the Minister for Health. It is nice to see at least one minister is across her brief. Minister, what tangible benefit did this expenditure achieve for the people of Canberra? If you need to take it on notice, that will be fine.

MS GALLAGHER: It was in relation to official travel overseas to attend a conference in the public health area. I will provide you with the details.

Mr Pratt: Did the Glenfiddich stimulate intellectual research?

MS GALLAGHER: It was not for whisky.

Public service—credit card use

MRS DUNNE: Mr Speaker, my question is addressed to the Chief Minister. Information obtained by the *Canberra Times* through a Freedom of Information Act request revealed that a senior employee had spent taxpayers' money to purchase clothing at Nunie Ladies Fashion boutique in Canberra. Chief Minister, what have you done to ensure that inappropriate expenditure like this does not happen in the future, and, when it does happen, it is identified and repaid promptly?

MR STANHOPE: I thank the member for the question. It is important, I think, before we rush to judgment in relation to the appropriateness or otherwise and suggestions that the particular expenditure was inappropriate, that there be some understanding of the nature of the expenditure and the reasons for it.

Mrs Dunne: It was a fashion boutique.

MR STANHOPE: Questions were raised yesterday. I do not know the answer to the particular question or the particular issue.

Mrs Dunne: Why not?

MR STANHOPE: Just let me finish. So it was a fashion boutique. Yesterday questions were raised with the same innuendo and suggestion that the expenditure was inappropriate in relation to expenditure at Strandbags—the suggestion that, “Oh, this expenditure was at a fashion boutique.” In fact, the expenditure at Strandbags was by Lucy Bitmead, a senior executive from the Chief Minister's Department, for the purchase of a wheeled carry case to assist her having regard to certain issues in relation to her physical capacity to carry departmental documents to external meetings.

That was the expenditure yesterday which you questioned in relation to Strandbags. The purchase was for a wheeled carry case to allow a departmental officer, a senior woman executive, to carry heavy documents to external meetings. I think you perhaps would have seen her from time to time wheeling that bag. I am sure you have seen the bag as she wheeled it across town to attend meetings. That expenditure was legitimate

and appropriate. It was in accordance with the legitimate expenditure. Yet, we have this innuendo, “Oh, there was a credit card used at Strandbags.” Shock, horror, it must have been inappropriate, it must have involved some malfeasance; that particular officer must have been up to something dodgy.

The purchase was by a senior executive who required that particular purchase to pursue her duties. So I am not prepared to say, “Oh, the expenditure was at Nunie, therefore it was inappropriate.” I do not know the details of that. As I just said, I will get the details of every expenditure and the explanation that has been provided in relation to it.

But yesterday—and I did not have the details of the Strandbags purchase—the innuendo, the spin, the shock and horror, the loathing was, “Oh, it must be inappropriate.” The Strandbags purchase was by Lucy Bitmead, a senior executive within the Chief Minister’s Department, who required assistance in the pursuit of her duties in the carriage of documents. But that was not the basis or the way in which the question was proposed. It was all about sleaze. It was all about innuendo. It was all about, “Oh, this must be crook.” It was all about, “Oh, there must be a tinge of fraud around this.” It was to assist a senior official with the Chief Minister’s Department to do her duty.

So I cannot respond to the particular question. It was not just a weighted question. The question contains the explicit claim that the expenditure was inappropriate—that is the assumption that is included within the loaded question. Certainly, mistakes happen and certainly, as I said yesterday, they are to be regretted. I think it is a matter of enormous regret, as I said yesterday repeatedly, that senior executives within the ACT service—or, indeed, any service, any institution or any organisation, whether it be public or private—from time to time, whether it be through sheer negligence or slackness, allow an official credit card to be used inappropriately.

We can say it is accidental or it is negligent or it is inappropriate or it is simply slack. Accepting all of those explanations and excuses, it is not appropriate and it is to be regretted. But to actually confect the case that it is somehow a grievous sin really is to seek to make some sort of silk purse out of some outrageous sow’s ear. It is to seek to confect a case in relation to an aspect of government that really is not justified. In the context of the sums we are talking about, it is inappropriate. I do not walk away from it—it is to be regretted and I am exceedingly annoyed that senior officials, people in whom we place this trust, make mistakes in relation to appropriate expenditure on credit cards.

MRS DUNNE: Mr Speaker, I ask a supplementary question. Chief Minister, how long did it take this very senior employee to repay the money for the inappropriate expenditure—it recorded on the public record that it was inappropriate expenditure—for her frock at this Canberra boutique?

MR STANHOPE: I will have to take that question on notice. I am sorry that I do not have that information or detail with me. I am happy to take that on notice. Indeed, as I indicated in relation to the question, I will receive advice—and I regret that I do not have it today—in relation to every one of these expenditures. I can see how excited you are by them and I will provide the details—the sorts of details that you are

panting for in anticipation—in relation to each of them. I am more than happy to do that.

Cabinet solidarity

MRS BURKE: My question is to the Chief Minister. In the past year, Mr Corbell, Ms Gallagher and Mr Hargreaves have all breached cabinet solidarity, which is a key point of your ministerial code of conduct. You have taken no action against any of these ministers. Chief Minister, why have you failed to take any disciplinary action against ministers who have breached cabinet solidarity and your code of conduct?

MR STANHOPE: I do not accept the truth of the assertions contained in the question, Mr Speaker. It is one of those questions that are loaded and are not factual. To that extent, I will not and cannot answer it.

MRS BURKE: I thank the Chief Minister for the non-answer. Again I ask: Chief Minister, what actions have you taken to ensure that ministers comply with your code of conduct?

MR SPEAKER: I think the question has been answered.

MR STANHOPE: Yes, I have answered the question, Mr Speaker.

Health—HPV cervical cancer vaccine

MR GENTLEMAN: My question is to the Deputy Chief Minister and Minister for Health. Minister, I understand that today you launched the HPV cervical cancer vaccine in the ACT. Could you update the Assembly on this launch?

MS GALLAGHER: Earlier today, in conjunction with Senator Gary Humphries, I launched the ACT human papillomavirus vaccination program across ACT secondary schools, both government and non-government. This program is being funded by the commonwealth government. They should be commended for it. The cost is between \$8 million and \$9 million for the ACT alone. It is also being funded across the country. It protects young women from human papillomavirus, which causes cervical cancer. It is certainly a major contributor worldwide of cancer mortality in women.

Each year around 800 Australian women are diagnosed with cervical cancer and more than 270 die from it. The new vaccine has the potential to significantly reduce the incidence of cervical cancer within a generation and save hundreds of lives. The ACT government was delighted that the commonwealth government did the sensible thing last year and reversed its original decision not to fund the vaccine. Credit should go to them for fast-tracking the introduction of this program.

HPV is the name for a group of viruses that cause skin warts, genital warts and some cancers. HPV is very common, with four or five people having genital HPV at some point in their lives. Whilst most infections do not cause any symptoms, some high risk types of HPV can cause cell changes that may lead to cervical cancer over a 10 to 30-year period.

The development of the vaccine was a wonderful breakthrough in women's health. It was made possible by an Australian—the Australian of the Year last year—Professor Ian Frazer. The vaccine guards against two strains of HPV—16 and 18—which cause up to 70 per cent of cervical cancers and another two strains that cause 90 per cent of genital warts.

The technology that forms the basis of this vaccine arose from collaboration in the early 1990s between Professor Frazer from the University of Queensland and the Commonwealth Serum Laboratories. The landmark discovery leading to an HPV vaccine was that the virus coat protein spontaneously assembles to form empty capsids, known as virus-like particles—or VLPs—when expressed in yeast or other cells.

Professor Frazer's achievement was truly revolutionary because, prior to his discovery of VLPs, a vaccine for cervical cancer had been inconceivable because no researcher had been able to grow the HP virus in the lab.

In short, the vaccine represents a milestone in Australian and medical history. Every year in Australia approximately 90,000 women have a low-grade cancer lesion detected and 15,000 women have a high-grade cancer lesion detected through Pap test screening. The incidence of lesions peaks in women aged 20 to 24 years.

Each year there are 20,000 hospital admissions in Australia for cervical dysplasia and cancer of the cervix. Although cervical cancer is a major cause of cancer deaths globally, in Australia the death rate from cervical cancer is relatively low. This is because of the effectiveness of the national cervical screening program in Australia. However, it still does cause more than 250 deaths each year. In the ACT about 10 women are diagnosed and about three die annually from the disease.

But this vaccine has the potential to save these lives every year. It is a truly remarkable breakthrough. It is a great breakthrough for women's health, and one that the commonwealth government should be applauded for.

MR GENTLEMAN: I ask a supplementary question. Minister, could you update the Assembly on the rollout of this vaccine in the ACT?

MS GALLAGHER: I thank Mr Gentleman. Up to 14,000 female students across Canberra high schools and colleges will be offered the free vaccine during a two-year catch-up program progressively from this week. I attended Melrose high school today where the year 7s and year 10s were being done. I understand that was the seventh school this week, the rollout having started on Monday, although I cannot recall the name of the school. There were not too many happy faces among the students today, but I am sure the benefits in the future will be worth the tears that were being shed today.

The territory government's role is to deliver the program in ACT schools. In 2007 the vaccine will be provided to female students, with parental consent, in years 7, 10, 11 and 12 and will be offered to girls in years 7, 9 and 10 during the 2008 school year. In

2009 the vaccine will then become part of the regular school immunisation program provided to all year 7 students.

Importantly, for the next two years there is a catch-up program for 18 to 26-year-old women and for girls aged between 15 and 17 who have left school. They will be eligible for the free vaccine from GPs from July this year until June 2009. So it is important if anyone knows women of that age that they are urged to take part in this window of availability for the free vaccine.

It is the most effective protection against HPV if it is administered to women before they become sexually active. However, the big challenge with the rollout of this program will be in ensuring that young women understand that this does not mean that they do not have to participate in regular pap screening as the vaccine does not protect against all of the HPV types that cause cervical cancer. Regular screening may pick up some warning signs of other cancers or abnormalities of the cervix.

The challenge for us in rolling out the program once the immunisations are done is to make sure that the participation rate in the national cervical screening program is maintained and enhanced.

Ministry

MR MULCAHY: My question is to the Chief Minister. On the evening of, appropriately, Friday, 13 April—not that I am suspicious; I think Mr Corbell will be—you announced a ministerial reshuffle, in the middle of the development of your budget. In 2001, you said, “The budget is the key document in any government’s annual program.” Why did you decide to reshuffle your cabinet in the middle of the preparation of this most critical document in the government’s annual program?

MR STANHOPE: Interestingly, I think the last reshuffle that I announced was in the same week last year. It is an argument or a debate we could have in relation to the timing of any announcement concerning any administrative arrangements change that there was an administrative arrangements change in early April this year and there was a significant administrative arrangements change in early April last year. In fact, coincidentally, and I must say the coincidence struck me, I think it was the very same week. So there is no magic in the timing. Perhaps, in the context of any debate about administrative arrangements, the timing really is quite irrelevant. I might say for the information of the member that the significant work in relation to this year’s budget had been completed by that stage.

MR MULCAHY: Why did you introduce the reshuffle at that time, given that the ministers would be learning their new portfolios while attempting at the same time to put forward submissions to the budget cabinet process?

MR STANHOPE: I have answered the first part of the question. It is the case that the significant work in relation to this year’s budget had been completed by that time. The budget has not yet been completely finished, but certainly the majority of the hard work in the development of business cases and the development of a structure overarching direction and nature in the setting of priorities had been concluded. In relation to the capacity of ministers to get across new portfolio responsibilities, with a

ministry of this quality that is not a particularly significant issue. Adding to the quality of the ministry and its capacity to get across a brief is the fact that we know what is the quality of the opposition. So, in the context of any concerns I might have had about ministers getting on top of a brief or across a new portfolio area, I did have in mind, of course, the lack of capacity within the opposition, not that we are complacent.

We are out there with our minds firmly set on meeting the needs and continuing to meet the needs of this community and to respond to the faith which this community has vested in us, particularly through the last election when you were, as I am sure you reflect on it every day, so resoundingly trounced. It is an issue, of course, and it is a problem for the people of Canberra that the ACT does not have a respected or legitimate opposition. You are regarded broadly and generally as a rabble and as a joke, and you are, of course. I do not wish to be personal about it but, as to suggestions or questions to me about whether I was concerned about my capacity or that of my ministers to get across a new brief, some comfort was gained in that assessment as a result of knowing just how bad you are.

Cabinet solidarity

MR SESELJA: My question is to the Chief Minister. Your colleague, Mr Hargreaves, criticised Mr Corbell's compliance with cabinet solidarity in the *Canberra Times* of 13 April. I quote:

His expression of disloyalty to the Chief Minister in recent times is unforgivable. I am seriously disappointed that the hitherto strong Cabinet solidarity ... has been abused. I will not stand by and be silent when the integrity and leadership of Jon Stanhope is in question.

Why did you not demand Mr Corbell's resignation for abusing cabinet solidarity and bringing your leadership and integrity into question?

MR STANHOPE: Once again, these questions are based on a false premise, assertion or allegation that simply is not true. It is a response that ministers give in this place regularly and repeatedly. A question that contains a false assertion is, essentially, incapable of a response. Then again, the response sits there.

I have not demanded the resignation of any minister. Certainly there has been some public airing of issues by the government in recent times that might have been better aired within the party room. That is an issue that besets all political parties from time to time.

We on this side have taken great amusement at the public imaginations of you lot over the last five years. I am sure we will see a little more of that over the next 18 months. There is still an open book within the Labor caucus on when Mr Mulcahy will make his move on Mr Stefaniak. We all know it is coming. There was a discussion in caucus today that the move would be launched before September.

Mr Pratt: Jon, are you weak in the knees?

MR SPEAKER: Mr Pratt, do you want to get to ask your question.

Mr Pratt: Yes, please.

MR SPEAKER: Cease interjecting.

MR STANHOPE: I do not know whether Mr Stefaniak is aware of any magic in September, but the suggestion in the discussion we had today was that the Mulcahy move will occur before September, assuming that the industrial relations commission has that little difficulty of the Australian Hotels Association report out of the way and Mr Mulcahy comes clean on his credit card usage. We understand that the Leader of the Opposition has no issue with the credit card usage, in that he has expressed full confidence in Mr Mulcahy and the Australian Hotels Association.

Mrs Dunne: On a point of order, Mr Speaker: this is an abuse of your rulings on matters that are before courts and tribunals. This is a live matter and is the third time in two days that the Chief Minister has ventured into that area, despite your ruling. Could you please reinforce your ruling on sub judice?

MR STANHOPE: The sub judice rule does not apply to this.

MR SPEAKER: I have ruled on this matter many times and asked members to be cautious in making claims about matters which are before tribunals. I have to keep in mind the influence these things might have over the respective tribunals. A cheeky aside in the Assembly is not likely to influence the tribunal in question, in my view.

Mrs Dunne: On the point of order: there is a difference between a cheeky aside and something which is part and parcel of the *Hansard* in an answer in response to a question upon notice. There is a difference. A cheeky aside may not appear in the *Hansard*, but an answer to a question upon notice will. There is a fundamental difference.

MR SPEAKER: I still ask members to desist. It is not helpful to this parliament or to any process of a tribunal for politicians to be pre-empting what a tribunal might find on a matter. References which draw any imputations about the outcome of particular court matters or matters which are before tribunals should not be made. Chief Minister, have you finished?

MR STANHOPE: I have concluded, although there is much more I would like to say. Out of respect, I will not.

MR SESELJA: Chief Minister, have you reprimanded Mr Hargreaves and Mr Corbell for their public dispute?

MR STANHOPE: I am not quite sure what the question alludes to. I cannot answer it. What is he talking about?

Cabinet solidarity

MR PRATT: My question is to the Chief Minister. Chief Minister, last year we saw Mr Corbell and Ms Gallagher breach cabinet solidarity by voting against school

closures at the Labor Party conference. In the past month we have again seen Mr Corbell break cabinet solidarity on recycling water and land sales.

Cabinet solidarity is one of the key principles of the Westminster system. In 2001, you said, “An ACT Labor government will defend the Westminster traditions and practices.” What disciplinary action have you taken against Mr Corbell for his repeated breaches of cabinet solidarity?

MR STANHOPE: Once again, I simply do not accept those assertions in relation to actions by my colleagues. I am not quite sure whether the question is relevant or whether it is actually in order. I am not quite sure under which head of ministerial responsibility I am responding to questions around false assertions.

Let me be blunt: I have absolutely no reasonable basis on which to reprimand or to seek to take action in relation to breaches of cabinet solidarity. They simply have not occurred. The question is based on a false assertion, a false claim. There is absolutely no basis to the question. There is no basis on which I would be required to take any such action.

This is unlike the enormous disputes and backstabbing and backbiting that we see from the opposition bench. Have a look at the arrangement over there now. People are moving sideways and backwards. Mr Mulcahy has taken one step to the right. Mrs Burke has taken two steps to the left. Mr Stefaniak has taken two steps to the left. Mr Smyth has moved to the back.

This mob has no basis on which to stand up in this place and talk about proper behaviour by members of the government. Have a look at yourselves. Have a look at the rabble that you are. That is how the people of the ACT regard you. Calmly look back two years to where each of you was sitting two years ago. None of you is sitting in the seat that you were sitting in two years ago and that is because of the enormous disloyalty, backstabbing, backbiting and gouging—

Mr Mulcahy: I am back where I was.

MR STANHOPE: That is right. Mr Mulcahy says he is back where he was. He has taken a little shuffle to the left and a little shuffle to the right. That is the reality of relationships within this place. Have a look at yourselves.

MR PRATT: Given that we are qualified to ask these questions, my supplementary question is: Chief Minister, why have you acted in such a weak manner in not sacking Mr Corbell, given that he has repeatedly breached cabinet solidarity? You have acted in a weak manner, Chief Minister!

MR STANHOPE: I have answered the question.

Emergency services—Coolleman Ridge plan

DR FOSKEY: My question is to the Minister for Police and Emergency Services and is regarding clearing on Coolleman Ridge in Weston Creek. Residents near Coolleman Ridge were recently told of a plan developed by the ESA to “prepare” Coolleman

Ridge by removing rock stumps and native vegetation and levelling uneven ground. Many residents are concerned at this proposal, which includes removing possible endangered legless lizard habitat by the removal of rocks, which is usually illegal but, as we know, the strategic bushfire management plan, however, overrides those laws. Apparently, there is little fuel on the ridge at present, so it does not seem critical to do that.

There has been no consultation with the Cooleman Ridge Park Care Group, and a private company has been given the job of bulldozing the rocks and ground, as well as running the so-called public consultation process. Could the minister please explain what the government's policy is regarding the need to ensure that public consultation is undertaken by a separate entity from the private company that is contracted to undertake, and therefore benefit from, the consultation process?

Mrs Dunne: I raise a point of order, Mr Speaker. I think Dr Foskey just asked the minister to announce what government policy is. Unless it is pre-existing policy I think the question is out of order.

DR FOSKEY: Don't you want to know, Mrs Dunne?

Mrs Dunne: I just want you to ask in-order questions.

MR SPEAKER: I think she asked for an explanation.

Mr Mulcahy: No. She asked for policy.

DR FOSKEY: Could you please explain why it is that the public consultation is being carried out by the same company that is contracted to undertake the actual bulldozing?

MR SPEAKER: That's fair enough.

Mrs Dunne: That is a rephrasing of the question, Mr Speaker. That was not the original question.

MR CORBELL: Mr Speaker, I am sorry, after such a long intro, to say that this matter does not fall within my portfolio area. Matters of fuel and hazard reduction are undertaken by the relevant land manager. The relevant land manager in this case is part of the environment portfolio and I would refer the question to the Chief Minister.

Dr Foskey: Thank you for handing it on so graciously, Mr Corbell.

MR STANHOPE: I thank Dr Foskey for the question. It is important that we do understand the basis on which the very important work of bushfire abatement and protection of our urban areas, and indeed of all of our property from bushfire, is undertaken. The department and the government seek always, Dr Foskey, to involve communities in issues around fire abatement or protection work that will be undertaken in any particular area.

I am very aware of the history of issues or measures that have been undertaken at Cooleman Ridge and the very keen interest of the residents of Chapman, Duffy west and other parts of Weston Creek in relation to Cooleman Ridge. It is a place in relation to which very significant community energy and resources have been applied to restoring aspects of the environment, and there is a very high level of community interest in the work that is undertaken. We have seen this over the last four years in relation to measures that have been pursued at different times, even in relation to attempts to reintroduce cattle to act as a more natural suppressor. Nevertheless, it is the view of ACT government authorities and officials that there is a need for bulldozed or graded fire trails, that there is a need from time to time for controlled burning, and that there is a need, most particularly on that exposed western edge, to ensure that we have in place measures that will guarantee the safety of Chapman and all residents of Weston Creek and that part of the ACT.

I think, Dr Foskey, it would be fair to suggest that it is not unusual in relation to consultation pursued by the government across the board to involve the proponent in the consultation. We see that in relation to our planning regime regularly. A proponent for a particular proposal will often be the agent that is required to initiate the consultation and to pursue an appropriate and valid consultation with affected residents. So I do not think it is unusual in the context of consultation and methodology within the ACT to involve a proponent in consultation. I understand the philosophical point that you are seeking to make, but I do not believe it is a disqualifier that a person or an organisation or a company that might be involved in undertaking particular work is the organisation that is required to ensure that the affected community is apprised of works that are proposed. I would have thought the issue was to ensure that the consultation was appropriate and full and genuine and that the responses received were treated accordingly.

I am, nevertheless, happy, Dr Foskey, to seek to get any additional information that may be available in relation to the consultation protocols that are in place and are pursued. I know how rigorously these are accepted by, particularly, all of our agencies involved in bushfire abatement, preparation and protection. We accept the importance, and pursue it rigorously, of consulting and involving the community because of their very personal interest, involvement and concern around the outcomes. I will provide, Dr Foskey, whatever additional information there may be that I have not covered in this answer.

DR FOSKEY: I have a supplementary question, Mr Speaker. What arrangements are there for the consulting body to report on the consultation to the government, and which part of the government?

MR STANHOPE: I can answer the last part of the question, to the relevant and administrative agency in this place. It is TAMS. But I will have to take advice on the first part of your question, Dr Foskey, and respond to that.

Education—national curriculum

MS PORTER: My question is to the minister for education, Mr Barr. Minister, can you update the Assembly on the ACT's involvement in the development of the national curriculum?

MR BARR: I again thank Ms Porter for her interest in these very important national education debates. It is an interest that, sadly, is not shared by those opposite. They have had nothing to say on education for some time. It has been quite a while since Mrs Dunne has even asked a question in relation to education.

The ACT government supports the move to a national curriculum covering core subjects. We do so for a number of reasons. Firstly, states and territories have already been cooperating and have achieved a high degree of commonality amongst the jurisdictions. Recent work has shown that year 12 courses in chemistry, physics and higher level mathematics showed in the order of 85 to 90 per cent commonality in jurisdictions around the country.

We also believe that national collaboration will lighten the curriculum development load on the ACT education department and our teachers. Further, given that 80,000 school students move to a different state or territory each year—and many students who move are part of defence families, and many of those move in and out of the ACT—we should seek to minimise the disruption to those students' education.

More broadly, it is important that, as a nation, we agree on what it is essential for our students to learn. As individuals our students face the challenge of keeping up with an ever increasing rate of change; as a nation we face the challenge of maintaining our global competitiveness.

We have before us two very different visions of how a national curriculum should develop. On one hand, we have the federal government, through the education minister, Julie Bishop, who believes that the national curriculum should be set up at her prerogative and should be tied to the next funding agreement between the commonwealth and the states and territories.

On the other hand, the opposition leader, Kevin Rudd, and Labor's education spokesman, Stephen Smith, have proposed the establishment of a national curriculum board. This board will be made up of curriculum experts from all states and territories and will develop the national curriculum over three years, focusing on maths, science, English and history.

At the meeting of education ministers in Darwin, state and territory ministers again demonstrated that we can work together to help students and their families. This is in stark contrast to the approach of the Howard government and the deafening silence from those opposite on these major issues. There are seven or eight major issues.

I understand that the shadow minister was overseas for a period during this crucial national debate. I recognise that the Leader of the Opposition provided comment on a couple of government initiatives, and I welcome his support for our \$20 million investment in information technology. It was good to finally see someone in the opposition recognising a significant investment in public education. Mr Stefaniak was on the public record on this. It stands in remarkable contrast to the shadow minister, who has had nothing positive to say about any education issue in the territory for some time. She will not ask questions in this place; she will not contribute to national debates. The only time we hear anything from the opposition on an education issue is when the leader is acting in the portfolio.

The state and territory education ministers have agreed that they will continue to share high quality curriculum material. We are going to work together to develop the nationally consistent curricula that will set the content and achievement standards expected of all Australian students throughout their schooling. We are initially starting with the core subject areas of English, mathematics and science.

The greatest challenge here is getting the balance right between national consistency and local content. Some elements of schooling cannot be captured by a national curriculum document and should be left to local communities. Schools will always be best placed to promote creative problem-solving and ethical behaviour within individual students.

I believe that the ACT is well placed to contribute to the national curriculum. We are already working to ensure a consistent curriculum across all schools in the ACT—government and non-government. The ACT curriculum framework enjoys strong community support because parents, teachers and education experts have been involved—from the beginning, in a cross-sectoral manner, working collaboratively—in determining what students in the ACT education system should be taught. The ACT framework would work well in a national context.

Rather than seeking to wave a big stick around to try to tie agreement to John Howard's view of education by way of tied funding, there is a better approach: to work collaboratively with the people who deliver education—the states and territories—to achieve positive outcomes for Australian students.

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

Supplementary answers to questions without notice Public service—credit card use

MR STANHOPE: I have some information in relation to questions that I have taken on notice. I have today undertaken to provide more information on matters of great, slathering interest to the opposition. I have some information but will provide the rest later.

Issues that have been raised in relation to expenditures include an expenditure by a chief executive to purchase goods, in the first instance, worth \$491 from Vintage Cellars on 25 November 2005 and, secondly, \$405 on 22 June 2006. These amounts were for the purchase of alcohol for use by the chief executive's office to entertain guests and were authorised in accordance with departmental hospitality financial instruction.

A purchase was made by a senior executive at Strandbags on 14 July 2005 of a wheeled carry case to carry heavy departmental documents to external meetings. A card was used by a chief executive at a London restaurant on 9 October 2005, at a cost of \$1,600. The amount spent was for hospitality expenses at an Austrade organised function attended by London-based representatives of Canberra companies and Austrade officials.

A chief executive spent \$149 on hotel drinks and movie tickets. The hotel drinks were \$96.95, paid for on 4 April, and were repaid on 19 May. It was an error by the checking clerk in that the chief executive provided two credit cards at the time for the payment of drinks and meals. Both amounts were unfortunately processed on the same card. That chief executive also bought movie tickets worth \$53 on 19 January. This was a mistake which was corrected immediately that Chief Executive received his statement four weeks later.

A chief executive spent \$313 at a fashion stall. This was an inadvertent use of the incorrect credit card on 1 April 2006. The amount was fully paid three weeks later when the error was notified.

The point needs to be made that all of these repayments were made before the audit. All of these repayments were made as a result of internal checking and by chief executives monitoring their own statements and by departmental checking mechanisms. In other words, the internal systems worked on every occasion.

A Department of Justice and Community Safety executive paid a liquor store \$329.60 for a retreat in Bungendore. The expenses were incurred by ACT WorkCover. The expenditure approved by the commissioner related to a planning conference held at that time.

Corrective services staff used their credit card to spend \$2,100 during a conference in Seoul. The conference was an Asia-Pacific conference of correctional administrators. It was attended by the head of ACT Corrections as head of the Australian delegation. The payment was for the conference accommodation and meals; there was no alcohol; and it did not include air fares.

The Department of Territory and Municipal Services spent \$3,250 on a credit card at a Singapore resort. The business expenditure was incurred by two executives in Canberra Tourism and relates to five nights accommodation for the two executives. They were in Singapore at the time promoting Canberra pursuant to their responsibilities. We have benefited very significantly from that particular expenditure.

I reiterate that, in every single instance of those expenditures that were inappropriate, in relation to which I have expressed my regret that incorrect cards were used, the chief executive, upon having his or her attention drawn to the fact that an inappropriate expenditure appeared on a corporate credit card, immediately repaid that amount. Those amounts were repaid as a result of internal checking mechanisms, illustrating that our systems work and are appropriate. That is why the Auditor-General reported that the systems are appropriate.

Senior executives themselves noted that, in their returns, an inappropriate expenditure occurred in their bank statements in relation to expenditure on those credit cards. In not one instance were these issues responded to or corrected as some sudden understanding close to an Auditor-General's inquiry. All other expenditures were either approved by the chief executive, consistent with guidelines, or by the appropriate authorising officer, and involved expenditure on the business of government, namely, the expansion and identification of opportunities for the people of the ACT.

To suggest that the ACT government should operate in a way that no other government in Australia operates, or no other major institution or organisation operates in Australia—that chief executives should not have the capacity to utilise their discretion in determining whether or not it is appropriate to provide entertainment or hospitality—is asking a bit too much. It is suggesting far too much.

I find this line of questioning ludicrous and puerile. The suggestion that our chief executives—that group of individuals who are highly accomplished professionals that we pay significant amounts of money to pursue the interests of our different agencies and the ACT—should not be trusted with a discretion on the expenditure of tiny amounts of money, amounting to hundreds of dollars, on official entertainment and that we somehow go into some period of prohibition on the provision of entertainment or hospitality is ludicrous.

Each of us, of course, has been rendered that hospitality on occasions and it has been rendered unbegrudgingly and openly. The suggestion that we somehow as a jurisdiction should bar or ban the expression of hospitality or the rendering of hospitality to those with whom we do business, to those with whom we seek to engage and to those with whom we, as a government or as a community, seek to engage in order to advance or enhance the governance of the territory is ludicrous.

I have to say that in relation to your questioning over the last two days—the innuendo, the insinuation, the pointing of the finger at our chief executives, the attempt to shame in this place chief executives and public servants—you will not see me attacking public servants. You have got form. This is nasty politics.

Mr Smyth: I raise a point of order, Mr Speaker. My point of order is that additional information after question time is to provide additional information, not to debate the point. I ask you to call the minister to order.

MR SPEAKER: I agree.

Health—World Asthma Day Public service—credit card use

MS GALLAGHER: I have a couple of matters. One matter from yesterday relates to an answer I gave about World Asthma Day. In that answer, I said that the Asthma Foundation of the ACT would become a full member of the Asthma Foundation of Australia and launch its new website on World Asthma Day. I have since been advised that that was no longer happening yesterday as they had not had time to finalise the details. I correct the record on that slip up.

Mr Smyth's question on the matter of expenditure at the Glenfiddich Warehouse, which I can see is a bad name, was related to a meal for eight attendees at an international ultraviolet water treatment conference function. There was a delegation from ACT Health and Actew who were on a tour to assess water treatment technology and regulation to assist in the introduction of the Mount Stromlo UV water treatment plant which will be happening later this year. The tangible benefit to the people of the ACT of this delegation travelling overseas to investigate UV technology is that we are

able to increase the amount of water that can safely be extracted from the Murrumbidgee River should we require it in the future.

Papers

Mr Corbell presented the following paper:

Petition—out of order

Banning of battery egg production—Dr Foskey—(619 signatures).

Animal Welfare Amendment Bill 2007

DR FOSKEY (Molonglo): I seek leave to table the explanatory statement for the Animal Welfare (Amendment) Bill 2007, which I tabled this morning.

Leave granted.

DR FOSKEY: I present the following paper:

Animal Welfare Amendment Bill 2007—Explanatory statement.

Supplementary answer to question without notice Pace egg farm

MR STANHOPE: I have an answer to a question asked on Tuesday by Dr Foskey. The question was: has the Pace farm contacted the ACT government about a compensation package in the event of the closure of the farm? If so, what stage have negotiations reached? I have been advised today that nobody in my office or that the Chief Minister's Department has contacted today has been able to track down or identify a single conversation or request by anybody at any stage in relation to the possibility of Pace farm closing or seeking compensation from the ACT government.

My officials, to date, have not been able to identify a single person within the ACT government who has had a single conversation with the Pace farm on this matter. But if there is somebody out there that has, I am hoping and assuming, through attempts to discover who they are, that they will identify themselves. At this stage, not one of my chief executives or senior executives has had a conversation on this matter with anyone.

Low income earners—concessions

Debate resumed.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (3.39): I thank Dr Foskey for bringing this motion forward. The government supports the general thrust of the motion. I have circulated an amendment. I move:

Omit all words after paragraph (1) (b) “the ACT Government”, substitute:

“(i) completed a wide ranging review of its concession program in 2002;
and

(ii) is yet to respond to or release the findings of this review; and

(2) calls on the ACT Government to:

(a) conduct a current review into concessions; and

(b) present the findings to the Assembly by December 2007.”.

Members will see in that amendment that we are supportive of a review into concessions and that the findings of that review should be presented to the Assembly by December 2007. This has a bit of a story behind it which I have recently become aware of as it was not part of my portfolio until the change last year. We have gone back to have a look at it. Essentially, the review was commissioned in the last stages of the previous Liberal government and then picked up by us when we came into government. The review was finalised in 2002.

Dr Foskey is right in the sense that she says that the government has not formally responded to or released the findings of that review. The reason behind that was essentially because we did not agree with the options that were put forward as a result of that work. The review, again from my quick understanding of this topic, nominated about four options on how to proceed with concessions, none of which were to enhance concessions or make concessions more favourable. It appears that the work commenced with perhaps some riding instructions which I was not around to see at the time and which had sought that that work be completed in a budget neutral sense.

The four options that came forward through that piece of work were unpalatable to the government. It recommended winding back a range of concessions across those options—for example, winding back pensioner concessions on transport, concessions on vehicle registration, concessions for school children or young people. Essentially, the work stopped there. That is the reason why it has not been made more public.

The work that was originally done in the review of those concessions is about four years old. It is timely to have a good look at it now in light of some of the issues that Dr Foskey has raised in her speech as well—not just local issues but issues on welfare to work, work choices legislation and the potential impact that those may have had particularly on concession cardholders. We are very happy to do that work. It would be an interesting piece of work. I thank Dr Foskey for pushing this because it is something that we perhaps would have wanted to do anyway.

It has a troubled history, in a sense. The concern of the government in releasing information that we did not agree to was the perception that this was the way the government wanted to head. If that information had been released, it may have been misunderstood in the community that this was something the government endorsed. I want to say very clearly that the government did not endorse the work. We did not agree with the recommendations of that review, and that is why the work was never progressed any further. It is interesting information to have.

Some of the other comments that Dr Foskey made were about considering whether there be a rolling system of reviews. That is something that we could look at as a part of that work. Perhaps it is sensible to build in a timetable of constant review of concessions. In a way, I am sure it is done through indexation—many would say probably not to the extent that it needs to be done—but there would be a process, probably from a financial point of view, of an annual review through the budget process. Perhaps something more wide ranging than every three years is something that we could do. I am sure it is buried in budget reporting somewhere. I am trying to think exactly what part it would be.

It is interesting because the government in 2006-07 will provide in excess of \$28 million in concessions in the ACT. I think Dr Foskey has gone through those. They are to pensioners, low income earners, seniors cardholders, health care cardholders and veterans' affairs gold cardholders. That does not include the concessions for essential services—for example, energy, water and sewerage. The concessions are provided for a whole range of services. In addition, Housing ACT tenants receive some concessions on their rent, up to the value of about \$69 million in 2005-06.

We have had a lot of discussion about the previous budget, but it is important in the overall context to understand that the charges that were bought in included, for example, a 50 per cent concession on the fire and emergency services levy for concession holders. We built in a concession rate. I know the broader argument that the Assembly may have about the imposition of those charges in any way, but we were mindful at that time to ensure that the appropriate concessions were built in.

In a sense, I do not accept some of the criticism that Dr Foskey put forward about not looking at that issue through that very difficult budget we had. We also, through that budget, increased the rates concession cap for pensioners. It went up an additional \$31 as well.

We are also looking at the cost of providing peak public transport concessions to ACT senior cardholders. That is a piece of work that Minister Hargreaves and I, when I was minister for ageing, and now the Chief Minister are progressing. That is looking at this issue: what is the cost of extending concession rates for senior cardholders to off-peak times?

There is a fair bit of work that is going on at the moment. We can pull it together; we should pull it together; we should have a look at this broadly. Maybe we should have a look at this every three years. Perhaps we should look at this in terms of how we report in the budget—probably not for this budget—but, if that issue can be looked at in the review that is put forward, then that is probably sensible as well in terms of the government being able to respond to that.

We have a way forward here, Dr Foskey. I thank you for the motion. I hope members will be able to support the amendment I have moved because it is a sensible way forward and will provide the Assembly with up-to-date information on the range of concessions available to people in the ACT and how we might progress this along the lines of whether they are targeted. Are they getting to the people that need them most?

What is the cost? Should there be more? Should there be less? I imagine I can answer that question before the consultant is appointed. All of those issues should be considered and then reported back to the Assembly for discussion in December 2007.

MRS BURKE (Molonglo) (3.48): Mr Speaker, if I may, I will invoke standing order 43 and speak to the original motion and to the amendment. While the opposition will support the motion moved today by Dr Foskey, I have to make some comments about the spray that Dr Foskey gave yesterday in relation to government concessions. I would suggest that Dr Foskey's credibility in regard to her talking on behalf of low income residents in the ACT is fast dwindling. Yesterday, Dr Foskey believed that she was being persecuted for what can only be seen as poor judgment on her part for remaining in public housing after a considerable time of earning a most comfortable salary as an MLA. During that time she was receiving the very concession that the Deputy Chief Minister has just alluded to.

It is rather unfortunate that Dr Foskey's continued indignation at being forced to hand back a government concession only serves to further erode her credibility to enter debate on such issues on behalf of people on low incomes. Dr Foskey alluded to policy change and was really a little filthy on the Minister for Housing for daring to move such policy. I dare say that if such a policy were still in place, Dr Foskey would still have us believe she would not have had to move. I hope that Dr Foskey is not suggesting in this debate that government concessions simply be given willy-nilly to people in need in our community without due care, diligence and scrutiny of eligibility.

Unfortunately, this is, yet again, a signal to the ACT community that the Stanhope government is not interested in maintaining a level of timely and accountable good governance for and on behalf of all Canberrans. I see the Deputy Chief Minister laughing and remonstrating. Her response was incredibly laid back and incredibly casual. She is getting quite well versed in this, as we saw with issues around family services. This is the minister who will come out on the front foot and say, "Yes, we fess up." What we are seeing here is an embarrassing admission by the Deputy Chief Minister, who has had to stand up and admit to the Stanhope government's tardy response to this serious issue. Her explanation was, at best, very convoluted. At worst, it was a veiled admission of not keeping up with the program. I realise that she has to sit there and tough this through. But we are now seeing policy being made on the run. We are hearing, "Let us have another review." This is interesting, isn't it? I was going to use the word "cover-up" but that might be considered to be unparliamentary. The review was completed in 2002. Thank you for that staggering admission.

To refresh my memory and to ensure that I was correct in recalling some viewpoints held by the Chief Minister on his "code of good government", I cast my eye over an address he made to a group of Labor leaders back in March 2001. At the heart of the address was Mr Stanhope's concern about the malaise and apparent inaction occurring in the Australian political landscape. He showed some concern—and rightly so—about the general dissatisfaction with and lack of public confidence in our government institutions. It is interesting to hear what he is saying now.

I was particularly drawn to some of the words Mr Stanhope used to describe the situation. Those words included "disenchantment", "cynicism", "frustration",

“resentment” and “dissent”. It is ironic that Mr Stanhope points out that there is an apparent “cynical response” by the electorate to the contemporary political process. Well, today Dr Foskey highlighted such a situation where a government has been caught having, shall we say, a siesta or, dare I say, showing no interest at all in delivering its findings of a review completed in 2002 on concessional rates for people on low incomes in the ACT. The Deputy Chief Minister, leaning back in her chair, has laughingly glossed over and glibly written off this extremely important matter. I have to say that the amendment made me smile. It is a case of subject completed. You have actually done it. You did it in 2002 so what is the secrecy?

Ms Gallagher: Did you listen, Jacqui?

MRS BURKE: Yes, I did listen. What an excuse!

Ms Gallagher: It is not properly agreed to.

MRS BURKE: You have had your say and I will not respond to interjections. It is yet to respond to or release—

Ms Gallagher: You are baiting me with your stupidity.

MRS BURKE: I see. How haughty we get when we are under pressure. It is yet to respond to or release the findings of this review. Why? Basically, you did not want to release it because you do not want information out there. That is what you said. Now we have policy on the run.

Mr Stanhope, back in 2001, I believe, spent a lot of time addressing his Labor colleagues, talking about the malaise of a previous ACT government. I wonder if he is contemplating the very same situation that his government is now facing on this and trying to laugh it off as a minor detail. He spent an inordinate amount of time pontificating that, if elected to government, he would take the first step to restore confidence in the process of government—to propose and explain a manner of strong, responsible, responsive and accountable government. Has his government been responsive after five years or more? Sadly today, this motion all too vividly displays that the Stanhope government is infected by the very problems that Mr Stanhope sought to avoid if elected back in 2001.

It is noted that the aim of the ACT government’s concessions program is to provide supplementary income or assistance to low income residents to ensure that a certain quality of living standard is maintained, including a wide range of rebates. In principle, my starting point on matters of concessions is that a policy must be put in place—be it a tax policy or some other policy—and then, if any concessions are to be considered, these must be put in place separately so that there is complete transparency in the application of the concessions. There is no doubt that a city that works to help citizens on low incomes works for everybody in our community.

We have a social and moral obligation to offer any support we can to ensure that issues of inequality and social disadvantage are addressed through the delivery of all-of-government programs. Let me give one simple example. Without the opportunity to take public transport or the capacity to drive their own car, elderly people or those

on low fixed incomes can face social isolation if they do not have the opportunity to get out and about, visit family or friends or attend social or personal activities. Concessional rates offered on a driver's licence or bus fare play a vital role in how these people make decisions to engage in the community.

The question remains: why did the ACT government stop conducting a wide-ranging review of concessions between 2002 and 2004? Surely it would have been a priority for a Chief Minister, so dedicated to build and maintain public confidence in government, to offer all forms of targeted assistance to those most in need of government assistance. And, of course, whatever happened to the much touted and promoted social plan? The Deputy Chief Minister talked about it being an ongoing process. This was a very convenient comment to hide the embarrassment of not having tabled what should have been tabled a long time ago, and I will get to that later.

In its apparent "code of good government", Mr Stanhope projected that the ACT Labor Party espoused its belief in long-held values. Let me read out some of them now: fairness, integrity, openness, honesty, compassion, responsibility, accountability and leadership.

Ms Gallagher: Is this the speech for the next motion?

MRS BURKE: What I am saying is obviously getting the Deputy Chief Minister needed. There is a good reason for Dr Foskey to demand a very good explanation as to why any wide-ranging review of the ACT concessions program that was being conducted between 2002 and 2004 has simply stalled. I join in the call for a report to be presented to the Assembly on the last sitting day in June 2007, and I will move an amendment in respect of this at the end of my speech. Dr Foskey made mention of her own experiences.

In June 2002—and I will close on this point—Mr Cornwell asked the then Treasurer, Mr Quinlan, when and how such a review of the ACT concessional program was progressing and when a report to government on the effectiveness and adequacy of current concessions and rebates in assisting people affected by poverty to participate in the community would be produced. For the information of members, in answer to Mr Conwell's questioning, Mr Quinlan indicated that it was anticipated that a report to the government would be completed—

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

MRS BURKE: Mr Temporary Deputy Speaker, as I foreshadowed, I wish to move the amendment circulated in my name.

MR TEMPORARY DEPUTY SPEAKER: Mrs Burke, you have run out of time. You will need to seek leave to move your amendment.

MRS BURKE: I seek leave to move the amendment that has been circulated in my name and which I foreshadowed I would be moving.

Leave granted.

MRS BURKE: Thank you very much. I move:

Add, after paragraph (2) (b):

“(c) table the 2002 Concession Program Review Report by cob today.”.

MR TEMPORARY DEPUTY SPEAKER: The question is that Mrs Burke’s amendment to Ms Gallagher’s amendment be agreed to.

MRS BURKE: I am moving this because I am asking that the government table—

MR TEMPORARY DEPUTY SPEAKER: Mrs Burke, you have already spoken.

MRS BURKE: I am speaking to the amendment that has been circulated in my name that I foreshadowed in my speech before—

MR TEMPORARY DEPUTY SPEAKER: Mrs Burke, you have already spoken and moved the amendment.

MRS BURKE: I seek leave to speak to the amendment. I thought I had asked to do that. I apologise to members.

Leave granted.

MRS BURKE: Thank you. The amendment is that the government table the 2002 concession program review report by the close of business today. Ms Gallagher has said that the report was there, that they have looked at it, that they have seen it but that they do not like what they read. I think we have a right to ask for that report to be tabled so that we can see what you did not like. You did not give members of this Assembly the opportunity to have a look for themselves. I think Dr Foskey will be quite interested in that as well. If there are things that we need to be discussing as an Assembly, then that is what we should be doing. But I do not think you should be hiding information that was asked for in a review conducted with taxpayers’ money. Now you are going to sit on the evidence. So I am calling and asking for the review to be tabled by the close of business today.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (4.01): It always surprises me when the warm and fuzzy member of the opposition gets so nasty in her speeches. We are all friends and we all get on and then, the minute there is an opportunity, it is straight in for the kill. But if Mrs Burke had listened to what I had said she would know that what I was trying to do was to be quite helpful and progress a very important matter which Dr Foskey had raised through the Assembly, and offer a way which met Dr Foskey’s time frame.

I am not going to table the report. There are other avenues open to you, should you wish to pursue them. The reason I am not going to table it is that you lot are a social menace and what you will do with that report is go and put fear and loathing in the community around concessions.

Mrs Burke: How arrogant.

MR TEMPORARY DEPUTY SPEAKER: Order!

MS GALLAGHER: Well, you are. You are a social menace. The report was commissioned by the Liberal government, I suspect under the riding instructions of “how do we wind back concessions when we are re-elected in 2001?” That report will come forward with four options, which I have already explained to you—I have given you the background. The government did not agree with any of the four options because they were all phrased in a budget neutral sense, which actually is a nicer way of saying they were all around winding back a concessions program, and that was not what this government was after. In fact, if you look at what this government have done you will see that we have introduced more concessions. In 2004 there was a new energy concession to cover both electricity and natural gas—this was in respect of a strange situation which had arisen—to make sure the rates of concession for gas and electricity were the same. So we have been moving on concessions.

Mrs Burke, what we are talking about here is a piece of work that the government did not agree with. There is no conspiracy here.

Mrs Burke: Just table it then.

MS GALLAGHER: Well, as I have told you, I would if you were not going to race around and put fear and loathing in the community, which is exactly what you would do. There are other options open to you. I am not tabling that document. I have explained to you that the government do not agree with the document that was produced. We did not pursue it. We have gone our own way in dealing with concessions.

Dr Foskey has offered a way forward in terms of having a current look at concessions and providing a report to the Assembly in December. I think the government’s position on this is strong. We have a way forward. We are trying to work with the Assembly. But when we do so Mrs Burke gives the speech that she has prepared for the next motion. She did a bit of cut and paste and made that speech in respect of the matter now before us because she cannot think on her feet and see that the government is being entirely reasonable in offering a way forward.

Mrs Burke tells us how conciliatory she is and how prepared she is to work with everyone. However, I think it is sad that the minute we offer a way forward, Mrs Burke talks about conspiracies and hiding and all the rest of it. It is just ridiculous. She has turned a good way forward into a negative situation. However, we will pursue the work that Dr Foskey has requested. I think it is a good way forward and I am sure the Assembly will be very interested in the information when it is made available at the end of this year.

DR FOSKEY (Molonglo) (4.04): I will take this opportunity to respond to both of the amendments and to close the debate—assuming that that is okay with everyone. First of all, I have to say that, although I am prepared to accept Ms Gallagher’s amendment, I am glad that I moved my motion. I believe that the work that Ms Gallagher’s office

has done probably would not have happened—at least in the proposed time frame—if I had not tabled the motion. Because of that work, things have moved quite quickly and I am very pleased that the government is coming along with us. I appreciated Ms Gallagher's frank explanation about why the old review, which my original motion wrongly described as being unfinished, has not been tabled.

I am sure that my motion and the outcome of the measures contained in it will be hailed by the community sector. This is a step forward for them and it will be seen as a real means by which some of the difficulties that some of the poorest people in our community face will to some extent be alleviated. I am hoping that the review that is conducted will include their expert advice, because they are the people at the coalface. A debt recovery review is being done at the moment. I would like the government to see if there is some way in which, rather than operating in parallel, this review can be linked to the review that is proposed in the amendment.

I suppose that Mrs Burke was in a dilemma because on the one hand she supports my motion but on the other hand she had to chuck a spear in the side. What she proposed is absolutely quite irrelevant. I have decided that Mrs Burke does not get it. It does not matter what I say in the house or anywhere else. It appears that there is a light in the eye and a bit of understanding but the next minute we are hearing the same thing—and it is the same thing—that Mrs Burke has been telling us over and over again. It is hardly worth responding to her comments on what I have been saying about housing—

Mrs Burke: You keep bringing it up, Dr Foskey.

MR TEMPORARY DEPUTY SPEAKER: Order!

DR FOSKEY: Mrs Burke, my opinion—and you do not have to agree with it—is that you do not get it when it comes to social housing and poverty, and the transition between poverty and wealth. I do not believe you get it and that is it—full stop. As we know, there is an element of concession in respect of public housing but the bigger picture is that we need a sustainable social housing sector, and if you run public housing only on a concession basis you put at risk that social and financial sustainability.

I saw Mr Smyth hand the amendment to Mrs Burke. I wondered where it came from, and that is good.

Mrs Burke: I asked in my speech.

MR TEMPORARY DEPUTY SPEAKER: Order!

DR FOSKEY: That is how a party works and—

Mrs Burke: I asked in my speech.

MR TEMPORARY DEPUTY SPEAKER: Order! Dr Foskey, would you take a seat for a moment. Mrs Burke, I have called you to order more than three times. You have continually talked over the top of other members in the chamber. Please cease.

DR FOSKEY: Since my motion was prepared we have had the briefing with Ms Gallagher’s office. I am aware of all of difficulties, and it is very likely that the Greens are not going to like the concession program review report either. I have had to weigh up the kinds of things that I say here in this Assembly. I have to say that, in the interests of transparency, I will support the amendment, even though I fear the kinds of damage and mischief that can be caused by a Liberal opposition that does not really get it—an opposition that is more about getting into government than getting good outcomes for people living in marginalised situations. But I will support the amendment because I do not want to be seen as being inconsistent; I call for transparency all the time. However, let us face it: when it comes to the vote, the numbers will probably mean that Mrs Burke’s amendment will be lost.

I hope that Mrs Burke will get right behind this review and its outcomes. I believe that in the substantive part of her speech she was supportive of the concessions review. I hope that this view will dominate and that we can then go forward and be positive. I think we should all focus on this objective, which is one of the positive things that has happened this week.

Question put:

That **Mrs Burke’s** amendment to **Ms Gallagher’s** proposed amendment be agreed to.

The Assembly voted—

Ayes 7

Noes 8

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

Question so resolved in the negative.

Ms Gallagher’s amendment agreed to.

Motion, as amended, agreed to.

Governance

MR STEFANIAK (Ginninderra—Leader of the Opposition) (4.15): I move:

That this Assembly:

(1) notes:

- (a) the document A Code of Good Government produced by the Australian Labor Party in 2001, which lists the qualities of openness, responsibility and accountability as qualities that “will frame the manner in which a Labor Government in the Territory will go about its business”;

- (b) the failure of some ACT Government departments to adequately respond to questions relating to expenditure, specifically on meals, travel and entertainment;
 - (c) the failure of these departments to keep adequate records to properly quantify, describe and justify these spending decisions; and
 - (d) the failure of the ACT Government and relevant Ministers to ensure that good governance principles, including openness, responsibility and accountability, are adhered to; and
- (2) calls on the Government to:
- (a) provide the people of the ACT with an assurance that ACT Government spending can be detailed and measured to provide a tangible benefit to the people of Canberra; and
 - (b) provide a guarantee that ensuring good governance is a priority of the ACT Government.

Back in March 2001, the then Leader of the Opposition, Jon Stanhope, in releasing what was called “a code of good government”, painted a picture of political malaise in which public confidence had declined in all of our public and social institutions. There was, Mr Stanhope opined, cynicism, frustration, resentment, powerlessness and anger in the electorates of Australia.

Mr Stanhope complained about things which seem incredibly trifling in retrospect given what this government has done over the last 5½ years. He complained about things like “feel the power of Canberra” numberplates. He complained about a futsal slab which cost, I think, \$280,000 and actually hosted a number of futsal matches and continues to host circuses. In fact, the function of that was not even twigged by the then opposition, who thought it was going to be a car park and had no problem with the expense incurred on that. They just seized on that as some sort of instance of bad governance. They complained about elective surgery waiting lists that showed “virtually no improvement”. In Jon Stanhope’s speech setting out the need for a code of good government, there is a sense of making mountains out of molehills.

Just how much worse have matters become under this government—under Jon Stanhope’s government? Hospital waiting lists are now the worst in Australia. There are greatly reduced community services, including the closure of the Griffith library and the Civic shopfront. There is stagnancy in the number of public housing properties available. Property taxes and charges increased by over 40 per cent in the last budget. Business taxes increased up to about 60 per cent, which affects small businesses in the territory. And there is a city that looks tacky and tired.

Mr Stanhope, like some sort of caped crusader, proposed that when the Labor Party got into office back in 2001 they would “rebuild public confidence in the institutions that frame the way we live”. To that end, he proposed “to restore confidence in the process of government—to propose and explain a manner of strong, responsible, responsive and accountable governance”. He then gave a list of values that would “shape the vision Labor has for Canberra”. What were those values? The ones he

listed were fairness, integrity, openness, honesty, compassion, responsibility, accountability and leadership. Mr Stanhope said:

Our core values—values we draw from the community of which we are a part—will frame the manner in which a Labor Government in the Territory will go about its business—the business of governing our city-state for all Canberrans.

Not for a privileged few, or for selected interest groups.

For all Canberrans.

He probably lifted that phrase from Mr Howard's 1996 phrase: "for all of us". It sounds suspiciously like it.

What happened? It seems like a poor joke now. Where does one begin? One thing we could begin with is the January 2003 bushfires—terrible fires that killed four people in the ACT, three of them in the outer suburbs of Canberra that meet the bush. The government—and the Chief Minister in particular—suffered from collective amnesia when it came to testifying before the coroner. The best he could manage to do to defend his and his government's failure to warn the public that there was a real risk of fire entering urban areas was to say that he was only acting on the advice he was given. Indeed, he was so loath to provide any openness on this issue that it took until just a few weeks ago for him to finally say where he was the night before the fires struck Canberra—and he apparently saw that as an attack on his privacy. He refused—indeed, he still refuses—to accept that he was the minister on duty and the only one who could sign off on the declaration of a state of emergency, as discussed in cabinet two days before.

Then the government did everything it could to delay the coronial inquiry into the fires, through legal delaying tactics as well as trying to remove the coroner, which delayed the decision by 12 months. That was an Australian first—certainly a first in the ACT. That was absolutely unprecedented in judicial history in the ACT and Australia—a government trying to remove its own coroner so that it could escape being accountable. So much for Labor's core values of accountability and openness.

The Chief Minister, in promoting his code of good government, was keen to quote from another coronial report, even though that never found the executive to have advance knowledge of the problems involved and could not reasonably have done so in the circumstances. Of course, I refer to the Bender inquest. In contrast, Coroner Doogan found that the Chief Minister was very much responsible. At page 166 of volume II, she said:

... in accordance with the conventions of the Westminster model of responsible government, which apply in Australia, Mr Stanhope was the relevant Minister at the most critical time of the firestorm.

She found that the Chief Minister did nothing to ensure that the community was properly warned except after the fact—and then he downplayed the seriousness of the fires. What was his response to her report? He just said that she was wrong.

The Chief Minister, in his manifesto of openness and accountability, promised that Labor would not “draft its budget behind closed doors or in isolation from the community”. He said:

Openness is one of our core values. We understand that we cannot construct a budget or a program of government without responding to community needs. While we will seek to lead the debate about those needs, and an order of priority, we will not leave the community behind.

Labor promised “ample time for submissions from the community, peak organisations, government departments and agencies, and Assembly committees”.

Let me take last year’s budget. What happened there? The community was delivered a staggering blow through the announcement of the closure of 39 schools and preschools. It was a decision that was a *fait accompli*. It was then followed by several months of effective sham consultation after the fact, leading to the closure of schools last December. The community had no idea that was coming. As late as, I think, 13 April last year, the minister at the time, Ms Gallagher, indicated that there would be some forums in relation to where schools would be going; then on 6 June we had this absolute bomb blast. So much for consultation; so much for openness. They were the activities of a very arrogant government.

The decision was apparently based on the functional review of government services led by Michael Costello. The government and the Chief Minister have consistently refused to make this study public despite the fact that it was paid for by taxpayers and the fact that it carried so much weight. The government entirely failed to convince the community that there was any considered rationale for the closure of the schools. Parents in the affected school communities complained that there seemed to be no logic or even any factual basis as to why some of these schools were selected for axing and why others survived.

The functional review canvassed all areas of public spending, but the Chief Minister pledged that the opposition would never see the document. Because the document remains a secret, we can only speculate that the data it used to make its decisions on schools, for example, was flawed and inaccurate, as claimed by educational experts, who we have seen trotting out all manner of material over the last 12 months. Indeed, Mr Stanhope described the opposition’s request to see the document under FOI as “a waste of time”. He said that releasing it would undermine the government’s ability to obtain frank advice from public servants. He said:

Those providing advice would start to censor themselves. They would dull the edges ... modify their language, hedge their arguments and governments would be the losers of such a dilution in frankness.

Again, so much for openness; so much for transparency in government. What does the government have to fear in making clear the basis of its decision making on such crucial issues?

This is a long way from the core values Mr Stanhope was so keen to advertise for Labor as an alternative government back in 2001. Why on earth, if they wanted to live

up to those noble words of 2001, didn't they consult with the community on this issue before the event? Why didn't they say something after their re-election—say, in early 2005? They could have said, “We have got a problem with schools. We really need to look at some that have to close. Let's have a full, frank and open debate.” If they had been fair dinkum—if they were going to live up to the Chief Minister's code—that is exactly what they would have done.

In terms of school closures, despite what the Chief Minister might say about his often trotted out example of Charnwood high school, that is exactly what this opposition did when in government. There was a document in 2000 that the P&C thought very highly of as a model for consultation and that we tried to include in the relevant act on several occasions in this Assembly to no avail. That is open and accountable. That is how you consult. Why didn't they do it? It was because of the functional review, but that flies in the face of the Chief Minister's code.

What did Mr Stanhope have to say about freedom of information as part of this code of good government? There were more pious intentions. I hear my colleague Mrs Dunne laugh at that, and well she may. She has had a lot of experience in this regard in recent months. Mr Stanhope declared:

Labor rejects the corruption, for instance, of the Freedom of Information process that has characterised the years of the Carnell-Humphries Governments, a corruption of process that saw my legitimate request for information about the Bruce Stadium redevelopment denied all the way to the Administrative Appeals Tribunal.

In government it has been a very different story. This is a government that places itself above the law. It did it with the bushfire coronial inquiry when the Chief Minister refused to accept the coroner's own conclusion, saying, “No, it was not me; she is wrong.” Indeed, as I said earlier, he appealed against his own coroner, in an Australian first. The government did it about a month ago in winding back the Freedom of Information Act. As I indicated, just ask Mrs Dunne about her attempts to try to keep the government accountable over school closures and get reasonable information out of this government. Ask her about the steps the government has taken to avoid giving that information to her and other members of the public who have sought it.

Far from promoting fairness, openness and accountability and governing for the majority, this government seems to have taken an almost secret pledge to do the reverse. This is a government that prefers to govern under the cover of darkness. It is a government that does not want the opposition or the community to be able to scrutinise in any meaningful way what it is actually doing.

I mentioned the Freedom of Information Act. We recently saw the Freedom of Information (Amendment) Bill passed into legislation. Far from promoting openness, accountability or any sort of transparency, it does just the opposite. This bill, debated in March, has the potential to greatly limit the freedom of the public to access information about government under FOI law.

The Freedom of Information (Amendment) Bill gives the government a new excuse to deny requests for information on the basis of the cost and difficulty involved in

providing it. The bill amended the legislation so that the work involved in an FOI request can be taken into account in a determination as to whether a request is refused. That means, quite simply, that the government can allege that a request for information would cost too much or be too difficult to produce. In relation to the government's refusal to disclose documents concerning the bulk closure of ACT schools, we have already seen that the Stanhope government is all too ready to use its power to keep its actions and its decision making secret. So much for the code the Chief Minister talked so nobly about in 2001.

Why should this be? What does the government have to fear? I think it shows how arrogant and underhand this government has become. It is a government of spin and slogans. Depriving the public of its right to know is an act of total hypocrisy from a government and a Chief Minister that like to present themselves as champions of human rights. Even before the amendment, the Stanhope government took extraordinary measures to try to stop the opposition from getting access to documents concerning school closures through the AAT.

This week we have seen some other instances in relation to issues of expenditure. We have been calling for the release of details of the progress of all capital works reports. Capital works quarterly reports were introduced by the Carnell government, I think, in about 1996. No quarterly reports have been released since December 2005. The Chief Minister has approved the decision of Treasury that the capital works progress reports were "neither required by legislation nor useful outside the bureaucracy", "not user-friendly to the public" and "determined ... to more appropriately be used internally within government".

Yesterday the Chief Minister could not offer any real reason for the suppression of these reports. He said merely that some information could be assessed from annual reports—hardly a substitute for quarterly updates—and that, for the rest, the estimates committee process was available for eliciting information. It seems that we have to drag basic data about government spending from this administration with a pair of hot tweezers. Even then, the government does its best to slide around or away from the facts in estimates. That is not a model of transparent, accountable and open government—not by a long shot. How twisted the core values of this government have become.

I see that in his proposed amendment to my motion Jon Stanhope will say that he contrasts that record with that of the previous Liberal government. The previous Liberal government introduced quarterly capital reports. We introduced ministerial travel reports on a quarterly basis. In the sum total of things, you can see us as almost a model of openness compared with you lot and the restrictions you have placed on openness and accountability, especially over the last couple of years.

On every test of open and accountable government, this government is failing to meet the most basic standards, much less meet its own exalted ideals of fairness, accountability, responsibility and openness. The steps and measures it has taken in recent times show those to be empty words. Those opposite have made a joke out of their own code.

MR MULCAHY (Molonglo) (4.31): I support my colleague's motion. I believe strongly that it is important to ensure that governments spend public money prudently and responsibly. I could not agree more with the ALP's own words from 2001: "governments must be open, responsible and accountable". I believe that is a standard the people of Canberra have a right to expect from the governments that they elect. It is unfortunate, however, that the present government seems to have lost track of these requirements and, indeed, is now guilty of being both unaccountable and deliberately secretive. In the last couple of days we have had many examples that support that particular contention.

Earlier today I moved an amendment to the Financial Management Act that seeks to produce more accountability and openness in one section of government—capital works progress reports—as a legislative requirement. As Mr Stefaniak said, there are other areas that trouble us too, such as the convenient evaporation of ministerial travel reports. I sought advice from the Clerk, went back and saw that it was something that Ms Carnell brought in when Mr Smyth and Mr Stefaniak were in government with her. They were not uncomfortable about putting this information out there. Mr Speaker, I see that here in the Assembly you have come up with more detailed information on non-executive travel. You have said that you want to have more comprehensive reports. You circulated that. You had one yesterday. But ministerial travel—which is often substantially greater, and probably of more public interest—is suddenly not evident.

These are all measures that trouble me and my colleagues here on the opposition benches. I believe that the people of Canberra, as they become aware of this approach, will share our concern.

The Liberal party was compelled to move legislation today because the current Treasurer and Chief Minister has failed to table reports since 2005. Contrary to claims that were made yesterday, Mr Smyth has pursued this issue as far back as May 2006. The matter has been on our agenda for some time.

It is also extremely concerning—and it is something of an indictment of so-called open government in the ACT—that we have recently seen either an unwillingness or an inability by territory government departments to account for expenditure, particularly expenditure related to corporate credit cards and money spent on hospitality and entertainment. To say that these are trivial matters, to dismiss them and to say that they are inappropriate to be pursued is quite extraordinary. Accounts of these matters were published in the media in this city in the middle of February this year.

This is not something that the opposition cooked up. This is the result of months and months of investigative journalism by the newspaper in Canberra. There was more than adequate time for departments to respond. Apparently there were trite answers from all agencies other than the health department. Not unreasonably, we have come to this place some three months later and said, "Well, what are the answers and what are the problems?"

We have been greeted with a panicked response: “I don’t know; I’m not briefed. You’re smearing people’s names.” How outrageous that these things are revealed in the media. This government has been asked to explain by the only newspaper in the town. Whether you like that paper or not is irrelevant. The government has been asked serious questions. They have given cursory or dismissive answers. Then the opposition, in fulfilment of its duty here, not unreasonably says, “Where are the answers?” We find—three months later—that panic breaks out. No-one really knows. We are then told how outrageous it is that we raised these questions. I find quite extraordinary this nearly paranoid approach to anyone who dares question. It is unique to the style of this particular government and this Chief Minister.

I want to make it very clear that we are not in the business of looking to attack individuals within the public service. But we do want to be sure that we do not have a culture of unquestioned spending and an absence of accountability. There are questions that remain unanswered that were pursued by my colleagues yesterday. They said, “What are the amounts spent on conferences and so forth?” Mr Stefaniak raised various issues. We are not talking about \$100 here or there; some of these matters involve tens of thousands of dollars. These are not unreasonable questions to ask.

This territory is effectively a \$3 billion dollar corporation. Government agencies ought to be able to say, “Well, we have spent \$1 million on overseas travel” or “We have spent \$500,000 on conferences; it was for this purpose and it delivered this benefit.” We know that things have to be done in government—we are not silly; this party has been in government for a good part of the period of self government—but we do accept the fact that there is an expectation that we should be able to produce the answers within a reasonable time frame when they are raised by the media or by this Assembly. I do not think that offence should be taken every time somebody in this place takes their duty seriously enough to ask questions.

Mr Speaker, in relation to the travel example I gave, it is significant that you are comfortable putting more information out there; you obviously hold the view that you, as the Speaker who presides over the administration of this place, want to ensure that the expenditure of public funds here can be comfortably scrutinised and can be defended. If people have concerns about the travel movements of MLAs, you have the answers and it is all there in the public record. Why can’t that cultural attitude apply to the territory government? Why is it that questions in relation to expenditure are always treated as a personal attack?

There is a fundamental difference between my party and those opposite. I believe, and believe strongly, that the role of government is to facilitate an environment that allows individuals the chance to flourish. Governments should not be self-propagating; they exist to serve the people. Few of the public would believe that this service requires unfettered expenditure of public money. As I have said in this place before, the people that are best qualified to spend money are those who earn the money, not the government.

Mr Stefaniak’s motion calls on the ACT government to ensure that good governance principles are a priority. That is what we are asking for; it is all about governance this

week. We are asking that the government address the concerns that are being expressed by those on this side of the house and by the community at large, especially in this period when we have had massive increases in taxes. This money does not grow on trees. People are having to find money for extra charges and taxes every day of the week.

On Sunday I heard the cliché about working families from Mr Rudd. I was sitting there with my wife and I said, "What a cliché." Fortunately, the reporter said, "Mr Rudd, can you tell me what a working family is?" He said, "It is the battlers, the people struggling to make ends meet." He had just announced an energy scheme where people earning up to a quarter of a million dollars per household would qualify. These are the working families!

Mr Speaker, you represent the northern electorate. I am not sure how many households you have up there in the quarter of a million dollar income category that you would call working families, battlers. But frankly, I am not losing a lot of sleep about people who are pulling in that much money. I say, "Pay for your own energy conservation measures."

We need to get serious about looking after the people of Canberra who are struggling with the tax bills that are being imposed because of the costs of running this administration. Those costs are going up and they are hurting families. I know that we have higher incomes here and that there have been good capital gains and capital growth. But what happens at the end of the day when people get hit with a utilities tax, when Actew goes to the ICRC and says it wants to pass on charges, when Telstra or Optus say they want to impose charges because they have been put on by the territory government, when ambulance charges go up, with the fire and emergency services levy, or when the rates go up? Not unreasonably, people are going to say, "Well, hang on a minute; let us look very closely at the expenditure of this territory government." As soon as these questions are raised, the government goes on the back foot; it is defensive: "It is outrageous. What does the Liberal Party think it is doing?"

We know there are rules and regulations in the public sector, but we need to be satisfied. These issues are outstanding. People might say, "Why care about cash advances of \$1,600?" The reason I care—the reason I care as a member—is that I happen to know that such an advance is prohibited under the audit rules of the territory unless it occurs when someone is out of the country. If it happens when people are working in the ACT, serious questions ought to be asked. One question ought to be asked of the Treasurer himself: "What is going on in your agency that caused that to happen?" You can ensure that you do not have cash advances on cards. You can block those sorts of facilities. Mr Quinlan said that when he left the country he would get a card that was taken out of a safe while he was overseas and taken from him when he got home. You can put controls in place and still do the job and satisfy people who are concerned.

At the present time, ACT families and residents are being forced by the government to tighten their discretionary spending to pay government charges. At this time it is therefore especially important to receive assurances from the government that the territory—its public sector—are doing the same.

The rules and regulations must be sufficiently tight to ensure that money is expended to achieve a tangible benefit for the community. It is not enough to say, “We went to a conference. Eight of us were over in Stockholm; we were looking at water” or “We had a retreat out at Bungendore.” I have a retreat on Friday night; I go out and have a few drinks with my staff. That is terrific; I do not expect this place to pay for it.

I know you can have conferences; I know you can have seminars. I am not such a wouser that I think people should not be able to have a drink at these things. But when you are using public sector money there is a much higher threshold of accountability. For that reason, it is important that we are able to demonstrate that there is benefit. If we are going overseas and we can demonstrate that we are bringing business in because of attendance at a particular conference—that we are signing up potential investors in Canberra—I am not going to sit up here and argue about taking those people out for a feed—even a good feed.

I have worked in government; I worked for the Victorian government. When I worked for the Premier there, one day I asked the chief executive of the premier’s department how many people we were sending overseas a year. He fluffed around and bumbled around; eventually he came back and said that 980 public servants were getting on overseas flights. They were the good times; they were the 1980s when governments were flush with money, nobody cared and everybody was employed. But there is a clear message here: you have to be very careful and very prudent. It troubles me that that level of control is not evident across the board in the territory. I am happy for it to be proven otherwise, but that is what I sense.

On 22 February the *Canberra Times* reported on this issue. It said that the four departments—education and training, ACT Health, territory and municipal services and the Chief Minister’s Department—were asked how much money through credit cards or other means was spent in 2005-06 on accommodation, conferences, courses and training, and meals, drinks and catering. Only ACT Health was able to answer in a timely and accurate fashion. The Department of Education and Training, TAMS and the Chief Minister’s Department all said in effect, “The information is difficult to come by.” The information should not be difficult to come by. It is the responsibility of the five ACT government ministers and the departmental secretaries that serve them, and the people under them, to ensure that such information and justification are available and open for the public to see.

I am flabbergasted that even today—after the Chief Minister was embarrassed by not having this information yesterday—the Chief Minister has not got the information at his fingertips. He ought to demand that information. We have demanded it. This information should have been able to be produced three months ago. Here we are in May and we are still being told, “We have to look into it.”

An accountable government—a government practising the core principles of good government—would ensure that expenditure can be justified. It would ensure that the items highlighted by the Auditor-General, including details of guests and the purposes of events, would be recorded. A tangible benefit to the people of the ACT is needed to justify expenditure on items like hospitality and other discretionary expenditure. This does not mean you cannot have hospitality. I have been here on New Year’s Eve and

had a glass of wine when they had the fireworks. I do not have an issue with that; I think that it is fine for that to happen. But we need to constantly be saying, “Is this the best way we can spend taxpayers’ funds?”

This is not an accountable, open, responsible government. Sadly, it seems to be moving further away from that—moving from the fundamental principles that my leader pointed out in his remarks. This government seems to be working on the principle that, if you close all fronts, if you close the door on information, you will be subject to less scrutiny.

One of the most poignant examples of this is the continuing failure of the government to release the now infamous functional review. This paper was prepared in secret and cost hundreds of thousands of dollars. It has dramatically altered the lives of many Canberrans. Education was one area affected, but there were many other areas where we were financially hurt as a result of that paper. It may be that the medicine was needed. The Chief Minister keeps saying that we spend 20 per cent more than we should and that we expect too much in this territory. But if you are going to go to the people and say that they expect too much and have to pay a lot more, you also have a duty to be very frank about whether all of your expenditure was absolutely necessary.

I support my colleague’s motion. I call on those opposite to acknowledge their failure to adhere to the standards of good governance and to provide the people of Canberra with a guarantee that, as a priority, the remainder of their term in government is guided by the principles of openness, responsibility and accountability.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (4.45): I move:

Omit paragraphs (1) (b), (c) and (d), substitute:

“(b) the Government’s record of achievement based on its commitment to the Code; and

(c) the contrast between this record and that of the previous Liberal Government; and”.

There is no dispute that accountability for public expenditure is fundamental to our system of government. It is public money that we spend. It is to the public that we account. Accountability starts with a sound legislative framework. As I explained yesterday, the government has quite significantly reformed the Financial Management Act 1996 to create that framework.

Accountability also requires a strong culture of transparency and, particularly when it comes to discretionary public expenditure, the policies and procedures to support and document financial transactions as they occur. Accountability requires that when policies and procedures are found to be lacking, as they will inevitably be from time to time, that lack is quickly identified and acted upon. And that is what happens.

That is why, for example, fast on the heels of the 2006 report by the Auditor-General into Rhodium Asset Solutions, the office undertook a performance review of seven

ACT agencies, focusing on compliance with existing policies and procedures. While the Auditor-General found that there was room for improvement in the procedures adopted by some of these seven, it is significant that the office found no evidence of fraud or misconduct by any officer or by any agency. Importantly, the report stated that most of the audited agencies had adequate policies and guidelines and that a satisfactory control framework was in place to manage and account for credit card use and hospitality expenditure.

The government did not simply breathe a sigh of relief and move on. Agency internal audit teams have been working with the ACT Auditor-General's Office to review their guidelines for hospitality and other discretionary expenditure. In addition, the senior executives responsible for business integrity risk unit from each agency met recently to review the ACT's integrity policy.

It is always easy from the opposition benches to make officials punching bags for political gains, but those sitting on the opposition benches today in this particular legislature have made public servant bashing a very cruel art form. It worries them not a bit that they besmirch the reputation of public servants through innuendo laden questions and motions. It worries them not that they cause needless anguish and embarrassment to individuals who, for the most part, have absolutely nothing to answer for. It worries them not that they quaff the wine and eat the finger food paid for by ACT officers at government or agency sponsored events and then proceed to question the expenditure on that wine and the cost per canape, barely pausing to wipe their lips before progressing from indulgence to confected outrage.

There is considerable—and even, at one level, delicious—irony in having the ACT Liberals attempt to lecture and admonish this government on the issue of good governance. The ACT Liberals, of all people! I am pleased that the Leader of the Opposition has moved this motion. It allows us to reflect for a few moments on the track record of those opposite on these important—utterly important—issues of good governance.

Let us look at the Liberal Party's record in government—for instance, at what the Auditor-General found about the former Liberal government's behaviour in relation to the Bruce Stadium redevelopment fiasco. Let us look at what the Auditor-General found in relation to that matter and the extent to which that government, including Mr Stefaniak, embraced the notion of good governance. What did the auditor find? That Mr Stefaniak and his colleagues breached the Financial Management Act when they borrowed—illegally, overnight—\$10 million to help pay for an ill-advised and atrociously mismanaged fiasco. What did the Auditor-General say? The Auditor-General wrote:

... There have clearly been serious breaches of laws.

... Breaches of the law relating to expenditure of public funds without legislative authority are serious as they contravene a most important principle of the Westminster tradition.

That is what the Auditor-General said about Mr Stefaniak and his colleagues. Of course, that borrowing—by stealth, in the dark of night, in secret—was just the tip of

the submerged iceberg of incompetence, mismanagement and bad government and governance perpetrated by Mr Stefaniak and his colleagues in relation to Bruce.

What of the auditor's other findings? There is a lot of focus on Auditor-General's reports today. Let us go to other findings of the Auditor-General in relation to Mr Stefaniak and his colleagues. The Auditor-General said that the costs incurred in redeveloping the stadium did not represent value for money for the territory; that the decision to redevelop was made without the aid of relevant, accurate and complete information; and that the management of financing arrangements was ineffective.

In short, the Auditor-General found that governance—here we are: it is a motion about governance—and management arrangements for the redevelopment project were not effective. Here we are today expected to take advice on good governance from Bill Stefaniak and the ACT Liberals. How far should we suspend normal, natural credulity? A motion from Bill Stefaniak and the Liberal Party on good governance!

Let us go to other examples of things that the Liberals see as appropriate governance. Does anybody remember the Woodies tennis match? Have you reflected recently on that? On that occasion, a tennis match that had been bid for and won at a charity auction by the head of the hotel school suddenly was transformed into a sponsored ACT Forests and Environment event on the flimsy ground that the two tennis players with the name "Woodies" had some relationship to forests. Before you knew it, Ted Woodbridge and Mark Woodforde had names that contained a certain arrangement of letters invoking the idea of trees.

We probably should be grateful that the Liberal Party at the time—the political geniuses at the time, those cemented to good governance—did not come up with the idea of, say, Housing ACT sponsoring a comeback by Pat Rafter. We could go on and on. I certainly do not think that this government has much to learn about good governance from a party capable of concocting that arrant nonsense.

But, Mr Deputy Speaker, as you know, as a member of the Liberal Party, there is more. Do we need reminding of the V8 car races? Let us go back to the Auditor-General's report into the V8 car races, an event that had significant negative economic results for the ACT. The cabinet submissions contained insignificant, inaccurate and incomplete information. Of course, Mr Stefaniak was involved in all these decisions. Here is this paragon moving motions today about good governance. He was involved in all of these decisions.

Let me go to Hall-Kinleyside—another one of Mr Stefaniak's masterstrokes. The Hall-Kinleyside development involved an agreement that was rushed into and documents that were never released by the then government, under FOI or any other mechanism—so committed was it to open government and transparency.

Despite every FOI request of this government, never once did it release any information in relation to any of these issues. It never released any information in relation to the Bruce Stadium fiasco, under FOI or any other mechanism. This party—committed to good governance, openness and transparency!—refused every FOI request on Hall-Kinleyside and every FOI request on the Bruce Stadium. Humbug and hypocrisy.

We can go on with the list of embarrassments, gross mismanagement and poor governance. Some of them were major disasters. There was Impulse Airlines, a \$10 million industry development program produced on impulse. We remember the governance around that, the business case, the nonsense. What a windfall for the airport and Terry Snow.

The futsal slab! Remember the futsal slab? Another brilliant piece of government by Mr Stefaniak and the Liberal Party in the ACT. The futsal slab was used once—on one occasion. There was a massive expenditure by the previous government to invite into the ACT a new sporting bonanza in futsal. The slab was used once and then abandoned.

There are other areas, at one level more serious than all the examples that I have used today. I refer to the Gallop disability inquiry report. I will produce it for tomorrow. If people want an example of the gross incompetence and lack of commitment to governance by the Liberal Party in this territory, they should get John Gallop's report into disability services and read it. It describes the most scarifying, disgraceful lack of governance, support and compassion reported at any time since self-government. Bill Stefaniak's fingerprints are all over that too—and so are the Liberal Party's and, indeed, those of Michael Moore, the then minister. We read with great amusement Michael Moore's current reflections on the state of health.

We have this party here talking about good governance. Go back and look at the Auditor-General's reports in relation to Hall-Kinleyside, Bruce Stadium and the V8 car race. Look at the report of the commission of inquiry into disability services in this territory—the extent to which this government completely abandoned people with a disability in this community; the gross mismanagement that led to issues which we were left to pick up; and, as a result of your failings, the need for good governance, which we have pursued ever since.

MR SMYTH (Brindabella) (4.56): It is really interesting to go back to Mr Stanhope's speech on good governance. He said that there would be no diatribes in relation to questions. What do we get constantly from this minister for diatribes? We get constant abuse when he cannot get to an answer; we get obfuscation when he just does not know.

Let us look at the government's code of good government and the 26-odd points that he said he would follow. Let us see what Mr Stanhope has done. Let us pick it up. Let us start with No 1: "Abandon the draft budget". He actually did that. He actually did it, but this is the government that said it would be more honest, more open and more accountable. Here is its record on honesty, openness and accountability. The draft budget has gone. No more consultation. The LAPACs in planning—gone. No replacement; no consultation. The monthly hospital reports—gone. There is openness, Mr Stanhope; there is accountability. The quarterly financials—gone. The ministerial travel reports—where have you been, what have you done, what have you spent? Gone. The quarterly capital works reports—gone also. Honest, open, accountable, Chief Minister? Hiding, sneering, sneaky, dismissive.

Let us go to another one. No 3? Pick a number—any number.

Mrs Dunne: Eighteen.

MR SMYTH: Eighteen. You want to go to 18. We have 18. “Ensure Government records, and records of decisions, are properly kept.” You only have to go to the meetings of cabinet in the lead-up to the bushfires in 2003 to know that records are not properly kept by this government and that memories are faulty.

Pick another number. Let us go to the last one, 26: “Make sure our Shopfronts are never solely computer-based”. “Labor accepts that there are cost implications in these commitments.” “As part of our Code of Good Government, we undertake” to keep the shopfronts open. What happened with the shopfronts mentioned in this commitment? What does Jon Stanhope say on the last page of his speech? He says:

There are those in our community who do not have access to technology, or who are intimidated by it, and they must not be forgotten. Labor’s Shopfronts will never be a wall of computer screens: they will always be staffed by real people.

That is why there are real people working across the road in the Civic shopfront! Oh, my; there are not! You are right: it is not a wall of computers; it has been shut. There you are. Let us pick another one.

Mrs Dunne: Twenty-three.

MR SMYTH: Twenty-three: “Reduce use of consultants”. If you go to any of the annual reports in the last six years, Mr Deputy Speaker, the use of consultants just grows and grows. Pick another number—any number.

Mrs Dunne: Seven.

MR SMYTH: No 7. Let us go back to No 7. My favourite, Mr Deputy Speaker: “Review the Ministerial Code of Conduct.” Why would you review it? You do not use it. You do not apply it. Nobody is held accountable to it. You would not wipe your bum with it. It is a piece of useless material that our gutless Chief Minister refuses to put in place. Pick another number, any number. What about 18? No, we have done that: make sure government records are kept well.

Mrs Dunne: Thirteen.

MR SMYTH: Thirteen: “Establish joint electorate offices in Belconnen, Woden, Tuggeranong, Gungahlin”. This document is not worth the paper it is written on. This document is an absolute joke. Then we go to the Chief Minister’s defence: “We’ve got an FMA.” Yes, members, we have a Financial Management Act. It is just a shame that the government does not abide by it.

The Chief Minister is quick to point out some of the failings or perceived failings of the previous government, but let us go to what the Auditor-General said about the Stanhope government’s arrangement to put \$10 million into a project to upgrade fire security in public housing. The Auditor-General said of the arrangements that were made “that the \$10m paid to Housing in 2001-2002 was a misuse of the Treasurer’s

Advance and its legality could also be questioned". Yes, that is it: it is an abuse and it should be questioned.

Yesterday we saw the Chief Minister hiding behind the Auditor-General. In response to every question that was asked about an FOI that the *Canberra Times* had put in and the subsequent questions that emerged from that lack of information, the Chief Minister used the Auditor-General as his defence. In the good governance stakes, if you are tossing up the Auditor-General as the only ball you have left and you kick, you are in desperate straits.

The Chief Minister said yesterday that the ACT has an independent, well resourced auditor who has recently undertaken an inquiry into credit card use in relation to the ACT public service. That is all very well, but the auditor comes into play only after the event—after the supposed good governance that this government has been abiding by! The Auditor-General does not set the accountability framework; this is another case of the government putting the cart before the horse.

We have heard the story of the FMA. Why was the FMA amended? Why did the government have to amend it? Why were they dragged kicking and screaming to the amendment by the Liberal Party and the Democrats? Because its legality could be questioned and there was a misuse of the Treasurer's advance. So much for good governance.

Yesterday the Chief Minister said this in relation to questions that were being asked about credit card use:

We need to understand and acknowledge the minute or minuscule part of an overall budget or agency expenditure that is involved in credit card use.

Just what is the Chief Minister saying? Is he saying that we do not need to worry about what happens to small amounts? I certainly hope not. There are issues over accounting for small amounts, because little errors grow into big errors. We have cultural issues about the acceptance of a mistake of any kind. It would be most inappropriate for the Chief Minister to say that small mistakes are okay.

When the Chief Minister does not know his facts, he just lashes out. So much for no more diatribes in response to questions. In talking about the capital works reports, he said:

The reports were certainly not user friendly. They were largely comprised of very complex spreadsheets that listed individual projects and funds spent against a particular project as at a certain date.

We have read those words before. The Chief Minister is quoting from the *Canberra Times*. In the *Canberra Times* of 18 April 2007 these are the very words that are provided to the newspaper by a Treasury spokesman. Who does the Chief Minister think we are? Who does he think the ACT community are? Does he think they are all stupid? It is precisely because of the detail in these reports that they are so useful, and it is because of the detail and the failure of this government over the last six years to deliver on capital works that it has suppressed them. So much for honest, open, accountable government.

Here is the Chief Minister's speech. It is headed "Jon Stanhope—Leader of the Opposition", "Labor Leader's Breakfast". Here are the principles. There we go: "I am going to insist on fairness, integrity, openness, honesty, compassion, responsibility." "I will take responsibility."

Responsibility, accountability and leadership! Where does this Chief Minister get off? The reports are an important source of information in holding the government accountable. The Chief Minister said that the information on capital works is available elsewhere. Of course, that is arrant nonsense, unless you get the quarterly report and you sit up in the Chief Minister's office. Most of the information is aggregated, particularly for ongoing projects. The Chief Minister said, "Go to the annual reports." Of course, annual reports are 12 months apart; and while they list most projects, there is little detail on the rates of spend and other outcomes. Chief Minister, your attempt to justify the withholding of this information does not stand up to scrutiny.

The Chief Minister wondered what questioning we had undertaken about the progress on capital works projects. In answer to his question, I will just mention what I have done. In May 2006 I did this. Remember that the last capital works report was tabled on 14 February 2006—not in 2005 as the Chief Minister said; he got that wrong. He said that nobody had asked questions. In May 2006 I put a question on notice about all the reporting. What did the Treasurer, Mr Stanhope, tell me in his June 2006 reply? He said, "Treasury also supplies capital works progress reports on a quarterly basis." There is your first question, Chief Minister. What a surprise, given what the Chief Minister told us yesterday!

Then the Chief Minister said, "You can go to estimates; it's a great time to ask questions and hold the government accountable." During the estimates hearings last year, on 19 June, I asked the ESA a number of questions about capital works projects. I think you were there, Mr Deputy Speaker Pratt. I asked JACS questions on 20 June; I think you were also there, Mr Deputy Speaker. I asked questions of territory and municipal services on 21 and 23 June, education on 28 June, community services on 29 June and health on 30 June.

More recently I put questions to the Minister for Health. How did we find out about the progress of some of the health projects? We had to read about it in the *Canberra Times*. The minister was dragged kicking and screaming to answer questions because we do not have the quarterly reports. What did we find out? We found out that the flagship new capital works project for health for 2006, the linear accelerator project, has been delayed.

Surely an honest, open, fair, compassionate, responsible government with leadership from the Chief Minister would have told the public, "Hey, guys, the accelerator has been delayed. Look, we are sorry about it." Oh, no. You have to ask; you have to probe; you have to put three or four questions; you have to keep coming back to it. The honesty, the openness and the accountability from the Stanhope Labor government have gone out the door. They are worth about as much as the code of ministerial conduct. You have to drag information out of this government.

We now have the Treasurer saying, “We are going to reform the finances and we are going to report even better.” In the 2005-06 budget, the ACT changed to what was meant to be the system that is described as government finance statistics, GFS. But if you look at it, you see that what we get is not the truth. We actually get the Stanhope modified version of GFS. Mr Deputy Speaker, governance is not a word with which this Chief Minister is acquainted.

DR FOSKEY (Molonglo) (5.06): I thank Mr Stefaniak for this motion. We have already had a good airing of the problems, real and confected, with accounting for credit card transactions by public servants, and I welcome the government’s acknowledgment that this is a problem, which it is. But I also note the relatively minor amounts involved as a percentage of all public service credit card transactions. While this issue is largely a matter for administrative attention, it does highlight what seem to be a couple of more systemic governance deficiencies that will undoubtedly grow into more serious problems if left unresolved.

First, there is an issue with poor accounting practices in some agencies. At present, this problem does not seem to be especially serious, but, despite the Chief Minister’s attempt to portray the Liberals’ attack as symptomatic of a slow news and no ideas day, their concerns do have some substance. I hope the government is putting in place measures to ensure that all agencies are able to properly account for their expenditures.

The second governance deficiency highlighted by the credit card issue is that of poor governance oversight in some agencies. Rhodium Asset Solutions was a classic case where the existing governance procedures were totally inadequate. Despite the Chief Minister’s reflexive support for his senior executives, the facts speak for themselves. If a board fails to notice all the dodgy things that went on in Rhodium, that board has failed in its duty. But, by always denying any wrongdoing and selling off the offending business or abolishing the offending board or agency, the government never faces up to the root issue, which is a shortcoming in governance processes.

Only by facing up to these issues and developing, through trial and error, best-practice governance procedures will any government develop the expertise, the experience and the accounting system which will enable it to recognise problems before they occur—and this is the mark of good management and good government. The Labor Party’s code of good government is a good benchmark. It is very impressive. But it shows how far this government has travelled since taking power. It is an idealistic document. It is an aspirational document. It is a worthy document against which actions should be checked from time to time. I urge the Liberal Party to come out with a similar document, to let the electorate know the values and initiatives it will pursue if it wins government, either in its own right or with the support of a future cross bench.

To give credit where it is due, the government has delivered on a fair few of its commitments in the code, but in a number of areas its deviation from the ideals espoused in the code is growing larger, and that appears to be a result of being unable to resist the temptations of using its majority power to dispense with the collaborative approach to open government, which it championed so strongly in opposition. When I hear Mr Hargreaves benchmarking this government’s performance against the

standards plumbed by the federal Liberal government, I know that something has gone horribly, horribly wrong.

While I am on the topic of the corrupting influence of majority power on open and accountable governance, I commend to all members the book *Silencing Dissent* by Sarah Maddison and Clive Hamilton. In it one sees a chilling coincidence of tactics and developments which occur at both ACT and commonwealth level. This process is most clearly evident in both governments' retreat from transparency and meaningful public consultation. Consider the following passage from the code:

Labor understands that good government does not bully. It leads. Good government accepts criticism. Good government has the courage to allow itself to be closely scrutinised. It conducts itself in an open, honest and accountable manner, not in secret.

Well, what happened to those high ideals? At least one government minister appears to think it casts him in a positive light when he boasts of his power and propensity to bully, punish or ignore community groups who dare to disagree with him. And the vigour with which the government has resisted attempts by the community to discover the basis on which the last budget was developed is a measure of how far it has shifted from its commitment to open government. To use the Costello report, which was prepared with no public input, as justification for its budget cuts and then to withhold the entire report from public scrutiny demonstrates a breathtaking contempt for the very notion of public consultation or open government. If people do not know the basis and assumptions on which their representatives are making decisions, how can they accurately assess whether their own values and interests are being represented?

Too often we are seeing policies announced after they have been fully formed, and then the spectacle of hapless ministers listening to the public outcry is characterised as public consultation. And, of course, the policies contain enough wriggle room to allow for a few minor changes in response to the public outcry, which can be characterised as responsive government. I know the individuals in this government are far too clever and politically aware to hold an honest belief that such practices represent open and accountable government. Rather, they are political games and manoeuvres born out of perceived self-interest.

The government still pays lip-service to open government, presumably because its left wing and a large proportion of Labor voters still believe that open government is a goal worth pursuing. This is a quote from Labor's 2006 policy platform:

Labor is committed to democratic and open government for the citizens of the ACT.

The fundamental principle underlying the governing of the ACT should be the development of the highest degree of community participation in the decision making process as possible. It is a basic right of all ACT citizens to be involved in making decisions, which affect them.

And just in case anyone thinks the ALP's platform is intended to be regarded as mere puffery, this is what the document itself says of it:

It is a tool for good government, a contract between our Party and the people of the Australian Capital Territory. It shows people what they can expect of us and sets the standards for our work.

What a shame there are no civil remedies for breaches of political contracts.

Majority governments increasingly see the possession and control of information as one of the spoils of office. They resent the inconvenience and loss of spin power that come from relinquishing control of sensitive information flows. When the relevant facts, rationales and alternatives which underpin policy are available for public scrutiny, it becomes that much harder for governments to manage the media and—let us be honest—mislead the electorate by portraying their actions or policy proposals in the most favourable credible light.

Freedom of information has long been recognised as an efficient and relatively cheap mechanism for encouraging excellent procedural standards as well as serving as an important safeguard against corruption. Its value in this latter regard was acknowledged by the WA Inc royal commission, the Fitzgerald report on corruption in Queensland and by the international corruption watchdog, Transparency International.

This government promised an overhaul of the FOI act in its code of good governance. At the time I am sure it did not intend that its overhaul would be a keelhauling which would emasculate the act and enable the minister and agency heads to hide any information that might be politically embarrassing. In the ACT, the scope of conclusive certificates is now so wide ranging that any politically sensitive document can be hidden from public view by being characterised as an internal working document or an executive document.

Transparency in government decision making militates against lazy or dishonest policy work. It raises the bar for public servants who write their policy and advice in the knowledge that independent experts and journalists may one day subject their work to scrutiny. Independent scrutiny brings a level of specialised expertise and competence that ministers and their political advisers can rarely, if ever, hope to achieve. This is a great strength and resource for a government that trusts the electorate and relies on substance rather than spin for its popularity.

I will be supporting the motion, and in particular paragraph 2 of the motion, which is, after all, a motherhood statement that we would expect of any government. I hope the government will at least put on the record a commitment to good governance as outlined in their code of good government.

MS PORTER (Ginninderra) (5.16): The government welcomes the opportunity to discuss its record on the important question of transparency and accountability and to move the amendment you have before you and which I am happy to support.

Since coming to office we have continued to support reforms within the ACT public service aimed at strengthening public access to information and services. We believe that the public have a right to be involved in decisions that affect them, whether those

decisions involve expenditure of public money or otherwise. For that reason this government has a strong record of community consultation and involvement.

Good government is about fostering a cultural respect for values and principles of good government and incorporating those values and principles into everyday business of the public service. The Public Sector Management Act 1994 sets out the expectation that the government and the community have about the professionalism and probity of the ACT public service and the important values and principles that guide public administration. Those values and principles bear repeating. At section 6, under the heading “Values and principles” it states:

Government agencies shall have an objective of implementing the following values and principles:

- (a) service to the public;
- (b) responsiveness to—
 - (i) the requirements of the government; and
 - (ii) the needs of the public;
- (c) accountability to the government for the ways in which functions are performed;
- (d) fairness and integrity;
- (e) efficiency and effectiveness.

Under section 7 “General principles of public administration” it says:

The public sector shall be administered with an objective of giving effect to the following principles:

- (a) the public sector shall be administered to provide quality services to the public;
- (b) decisions shall be as fair as possible;
- (c) the best management practices shall be used;
- (d) the public sector shall be structured and organised to facilitate the timely and effective performance of its functions;
- (e) there shall be a clear and explicit delineation of the responsibilities and accountabilities of public employees, administrative units and territory instrumentalities;
- (f) the public sector shall be managed in accordance with principles of access and equity by giving all members of the public the opportunity to have a fair share of the resources which the Territory manages on their behalf and an opportunity to gain access to the resources to which they are entitled;

- (g) the public sector shall be administered to minimise the possibility of unlawful discrimination.

In dealing with matters where risks need to be balanced against costs and benefits, it is sometimes a challenge for governments to determine what may amount to “best management practice” as required by section 7. In the Auditor-General’s report the nature of this balancing exercise was noted at page 2 of the report:

Corporate credit cards provide agencies significant advantages if used properly, particularly resulting in the prompt payment of suppliers, less paperwork, administrative cost savings, improved cash management and greater convenience for purchasing officers. Generally, corporate credit cards can be used to make the purchasing process quicker, more convenient and less expensive.

Although corporate credit cards offer purchasing advantages, they also entail the risk of improper or unauthorised expenditure. Credit cards are a high-risk medium for procurement, and therefore deserving of additional scrutiny to ensure not only that appropriate controls are in place, but also that these controls are effective in preventing inappropriate and/or fraudulent use.

Just as an aside, Mr Smyth, in relation to the matter of alcohol purchased on credit cards that we were discussing earlier, and the review of those purchases, has made it abundantly clear to all of us in this place that his preference is to drink scotch and not wine. I am just wondering whether Mr Smyth is putting in a bid for scotch to be purchased for his express purpose at functions that he might attend, because he seems to be at pains to inform us about this. From his performance earlier I think he probably needs one at the moment, or he should go and take a Bex and have a good lie down.

Members interjecting—

MR DEPUTY SPEAKER: Order! Mr Smyth might take that as a slight on his character, you know—whisky versus wine.

MS PORTER: No, I was just asking whether he wanted us to take note of his requirements, because they are specific requirements.

The Auditor-General’s report found that most agencies have adequate policies and guidelines and a satisfactory control framework in place to manage and account for credit card and hospitality expenditure. The government is currently examining the Auditor-General’s recommendation and will be making a government submission to the Public Accounts Committee on the government’s intended action. The Auditor-General’s report provides government with an opportunity to develop even better management practices in this area consistent with the values and principles of the Public Sector Management Act.

MRS DUNNE (Ginninderra) (5.21): This is an important motion today that Mr Stefaniak has brought forward because it goes to the heart of what we do. We should go back and have a little look at what Mr Stefaniak’s motion says. It notes the document, *A code of good government*, produced by the ACT Labor Party in 2001,

which lists the qualities of openness, responsibility and accountability as qualities that will frame the manner in which the Labor government in this territory will go about its business.

That was in the Chief Minister's speech. I remember the speech quite well. I was not there, but it was widely reported and everyone said, "Ooh, ahh, Jon Stanhope—a clean breath of air," et cetera. But what have we got here today? When he addressed the Labor Party breakfast back in 2001 and he talked about this he said that governments are not boards of directors. He said:

There is a broad public interest that must be at the heart of everything governments undertake, a public interest that insists on government being fair, open and responsible.

These are ... Labor's core values ... and they are qualities that will characterise a Stanhope Labor Government.

Let us see how those qualities have been characterised this week. Ms Porter has just quoted someone who at length has said, amongst other things, that because of the nature of corporate credit cards these devices should be open to additional scrutiny. And what happened in here today and yesterday when the opposition had the temerity to scrutinise the use of corporate credit cards in this territory? We had the usual running off at the mouth: how dare the opposition do this; how dare the opposition undermine the integrity of the public service; how dare we attack public servants. There was not one public servant named by this opposition. Even though those people had been named, on some occasions publicly, no opposition member named a person.

No opposition member claimed that any expenditure was inappropriate, except where a public official had already admitted that that was inappropriate expenditure and had repaid the money. There were questions asked about whether this was appropriate expenditure and whether or not the government was satisfied that the people of the ACT got value for money out of this. There have been occasions when money has been repaid because the public officials themselves have said that that was wrongly done, and on that occasion, the only occasion, there was an intimation that that was inappropriate expenditure.

But the response of the Chief Minister was not one of openness and accountability. If he was concerned about openness and accountability when this issue was raised publicly by the *Canberra Times* back in mid-February he should have been entirely briefed. His Deputy Chief Minister was briefed; she knew what expenditure had been questioned in her department. She was across the brief and she could answer the questions. I suspect that there were other ministers on the government benches who knew what had been going on in their departments when those issues were raised publicly in the *Canberra Times*.

But the Chief Minister was absolutely and utterly off his game. He did not know. He does not understand. He showed a complete lack of grasp of the brief of being the Treasurer. His only recourse is to say that it was unjustifiable for us to scrutinise it—when his own government documents say that elevated and additional scrutiny is necessary for corporate credit cards to ensure that everything is above board.

Let us look at some of the other elements of the Stanhope government's approach to good government. This is the one that I really like—and Dr Foskey has touched on this. He said:

Labor rejects the corruption, for instance, of the Freedom of Information process that has characterised the Carnell-Humphries governments ...

He talked about the corruption of the freedom of information process, and today he talked here about how he, as a member, could not obtain documents in relation to Bruce Stadium under the Freedom of Information Act. As a staff member, I saw the documents—the boxes and boxes of documents—that went out to Jon Stanhope's office. We were given lists of the documents. We know the extent of the documents. He received bucketloads of documents—truckloads of documents. If he could not make his way through them, that is another thing. There were some things that were exempt, but on no occasion did we find the Carnell-Humphries government issuing conclusive certificates over documents relating to Bruce Stadium. But we do here under the Stanhope government—the Stanhope government that would not play that “ridiculous game”, as he called it. He said:

Labor will ensure that the operation of the Freedom of Information Act is centrally monitored, that all decision-makers are appropriately trained, and that the emphasis is on disclosure rather than secrecy.

Remember: “the emphasis is on disclosure rather than secrecy”. Then I look at the parents groups, the individual parents, and I, who have attempted to obtain information in relation to school closures, and what has happened? Those parents, when it comes to the crucial documents, have had conclusive certificates slapped on those documents so that they cannot progress the matter. What this says is that this Chief Minister, who was going to have central scrutiny of freedom of information, does not trust the Administrative Appeals Tribunal in the ACT to determine something on its merits and is trying to take it out of the capacity of the AAT. This is because this government has something to hide—in the same way as this government has something to hide about corporate credit cards.

It is most interesting that agencies were approached by the *Canberra Times* and asked whether they could account for how much they spent on credit cards and by other means in relation to corporate hospitality, going to conferences and travel, and one of those agencies that could not, or would not, answer that question was the department of education. I suspect that every parent of every child whose school closed last year, and who got shonky information about why that school should close, has their blood boiling when they realise that the organisation that closed their schools to make spurious savings cannot account for its hospitality and cannot account for the conferences that it attends.

This is why the opposition are bringing this matter, this important matter, in front of the Assembly today and in front of the people of the ACT. The Stanhope government fails its own test. The speech that Jon Stanhope made in February 2001 is a hollow speech because in April 2007 he has failed to live up to anything in it. If that is the model that people in the ACT should—

Mr Stanhope: Regularly quoted as a model for its time.

MRS DUNNE: The Chief Minister says it is a model. It is no model that anyone should be proud of. In opposition he was going to play hell with a stick. His government was going to be clean, it was going to be open, there was going to be no whiff of corruption, no whiff of hiding things furtively behind doors. And what do we have today? We have a Chief Minister who cannot account for what his officials do and spend on their credit cards. We have a Chief Minister who allows his officials to slap conclusive certificates on documents to hide what they do not find convenient.

This is because—and the Chief Minister has admitted it—we have majority government. This is the same Jon Stanhope who, before the last election, said that the people of Canberra had nothing to fear from majority government. What they have to fear is a complete abrogation of open government. What they have to fear are abuses of the corporate credit card. What they have to fear are people making inappropriate expenditure on their credit cards and senior officials refusing to answer the questions of people and of investigative journalists. And what happens when everything gets really inconvenient? A conclusive certificate is slapped on it so that people in the ACT will never find out.

What we have to fear today is a complete abandonment of any pretence that this is a minister interested in open and accountable government, because he has a majority behind him and he can do what he likes.

MR SESELJA (Molonglo) (5.30): What we have seen here today is the confected outrage from Jon Stanhope that the opposition would dare to raise the issue of the expenditure of government funds.

Mr Stanhope: Are you going to attack public servants too?

MR SESELJA: Mr Stanhope's central point seems to be that by asking questions about credit card use we are somehow attacking public servants; that when the opposition ask questions, legitimate questions, about expenditure, that is an attack on public servants.

When Jon Stanhope was the opposition leader, of course it was okay for him to ask questions about credit card use by government officers. In question No 146, Mr Stanhope asked the then Minister for Education, in relation to the use of credit cards by government officers: "Which officers within your portfolio hold government credit cards? What credit cards are operated by those officers? What credit limits apply to each of those officers?" The list goes on. And he asked the then Minister for Urban Services: "Which officers within your portfolio hold government credit cards? What credit cards are operated by those officers?" He asked the same questions of the then Minister for Justice and Community Safety, the Minister for Health and Community Services—and the list goes on. So it was okay for Jon Stanhope to go on a fishing expedition and try and name and shame particular officers.

I note that today when we asked our questions, and yesterday, we did not name particular officers; we referred to employee A, employee B, employee C et cetera, yet

Mr Stanhope got up and named the individual officers. But apparently it is we who have been attacking individuals! What a joke! I was interested in hearing Mr Stanhope's tirade when, in the same breath as he called the Liberal opposition "political geniuses", he referred to Todd Woodbridge as "Ted Woodbridge". We are the political geniuses—but it was "Ted Woodbridge". I think it was a little bit like one of those "rugby league" players that he referred to the other day, those famous rugby league players! Oh, my goodness!

As we saw both yesterday and today in question time, instead of addressing the issue on its merits when he is pushed on the specifics he does not know; he turns around to his public servants. Again today he was sort of blaming the public servants: "Why haven't I been briefed?" And why haven't you been briefed? You have had a couple of months. Have you asked for a briefing on the specifics?

Mr Smyth: Katy Gallagher was. Katy Gallagher knew.

MR SESELJA: Yes, Katy Gallagher did know, but the Chief Minister did not, and so what has been his response? It was that we are attacking public servants by asking legitimate questions. What a load of rubbish!

Let us go through the record of this government on openness and accountability—and the list is mounting. On school closures, Mrs Dunne has mentioned already the conclusive certificates that have been issued. Openness and accountability on school closures? What mention was there before the last election about the closure of schools? None. In fact, when Labor were asked whether they were going to close schools, the education minister's spokesperson assured us that there would be none. They assured us there would be no school closures. What kind of openness is that? You go to an election, you deny something is going to happen, and then you turn around 18 months later with a massive program of school closures that, going into the election, you denied. You went to the people of the ACT on a false premise. What kind of openness is that?

We saw the secret estimates hearings—the first time in the history of self-government that we have seen secret estimates hearings—this year. We have got the functional review, which remains secret. Apparently, we can see a comprehensive review of government, on which has been spent hundreds of thousands of dollars of taxpayers' money. Yet the public apparently do not have a right to know. We saw the attempt to shut down the coronial inquiry and, of course, the stacking of the estimates committee so that they could get the kind of outcomes that we saw when they went to the secret estimates hearings, which was, "When there are difficult questions to be answered, we shut it down. We don't answer. We don't allow the opposition to pry."

What we have seen is a continuation of that today from the Chief Minister. Instead of addressing the issues on their merits, instead of actually getting down to the detail of the questions that have been asked, he claims we are somehow simply attacking public servants. We are doing no such thing. We have not even named the individuals involved. Mr Stanhope has been the only one naming public servants. We have not. We are going after the principal and seeking accountability from this government.

Another part of the motion relates to good governance and value for money for the people of the ACT. Let us have a look at some of the wonderful projects that have been put forward by this government. We have seen the busway—the proposal that apparently at least initially got through cabinet for a \$115 million busway—to save three minutes from Belconnen to Civic. What a stroke of genius that was to spend around \$4 million of taxpayers' money—a complete waste of money, with absolutely no justification. And we have heard what Mr Hargreaves now thinks of the busway and of the real-time information. I forget what he said; I think it was, “I’m not going to spend money on science to tell people buses are late.” I think that is a reasonable way of summing it up.

We have seen money spent on the prison—a prison that is of questionable value to the people of the ACT; a prison for which of course there will be a massive blow-out in costs; a prison that is simply not needed. But we are seeing \$128 million spent on it instead of all the other priorities. We see money being spent on the arboretum and on the Grassby statue—and the list goes on.

This is an issue about accountability. This is an issue about expenditure of public funds and being able to account for that expenditure of public funds. No amount of bluster and no amount of claims of public service bashing, which we always get from this Chief Minister, will hide the fact that these are serious issues and that the Chief Minister has failed to answer the questions that are put to him. On consecutive days he has failed. It is some two months since it was first raised with him. You must question the ability of this Chief Minister to get across his brief when he cannot answer questions. We have seen him upstaged by his Deputy Chief Minister, who is able to answer some of these detailed questions.

MR PRATT (Brindabella) (5.37): I stand here today to criticise the government's failure to be open and accountable. In 2001 the Chief Minister made absolutely impressive-sounding calls to the ALP conference that when he was Chief Minister his government would be open, honest and accountable. Well, bunkum to that, because that standard plunged down the drain within five minutes of October 2001.

We have seen here today, finally, some answers being provided on the credit card issues. But it has been like pulling teeth. Some of those credit card explanations are probably absolutely spot-on. But there are still question marks over a number of them and the point is that it took the Chief Minister two or three days to even admit that something had to be responded to—something that had been brought to his attention in February of this year by the *Canberra Times*.

With this Chief Minister it is like pulling teeth. It is all about, “Don't tell them what they don't need to know or what we don't think they need to know.” It is a “control freak” approach to government: you control the information flow; you only let that silly community out there know what you think they need to know.

Mr Seselja: And you take all the portfolios.

MR PRATT: Correct. So much for being accountable! I am going to talk a little bit later about the estimates committee. I am going to talk a little bit later too about FOI

and how accountable this government is in responding to quite legitimate and absolutely well-intentioned FOI requests from members of the public and the opposition.

But, firstly, I want to focus on the Stanhope government's failure to accept responsibility or accountability—corner posts of Mr Stefaniak's motion. Let us take this government's failure to accept responsibility or accountability for their failures in the 2003 bushfires. If the Chief Minister and his government had taken early acceptance of responsibility in those very important three or four months immediately after the bushfire disaster, he would have had bipartisan support from the opposition. If this government had said, "Okay, there were systemic failures, there were deaths, there was destruction; perhaps we should have known better; there have probably been 10 years of neglect by governments of all colours; it is about time we pulled everything out," the community and the opposition would have said: "Good on you, Chief Minister. Good on you. Okay, you are willing to accept that there were systemic failures in your governance in terms of community safety, but you are pulling it out rapidly, you are inquiring rapidly, you are being transparent."

But he did not do that, did he? This Chief Minister decided he would drag things out. The McLeod inquiry finally came, but McLeod was inhibited in what he could report on. His terms of reference were narrow. So much for open and transparent government! The community would have been far more forgiving of the failures of this government, but now he has bought himself a packet of problems because it took so long to identify the lessons that needed to be learnt and then applied, many of which, two and three bushfire seasons later, have yet to be properly applied. Then, on top of that, by dumping on the coronial inquest, this Chief Minister and this government have attracted the ire and the mistrust of this community about how fair dinkum they are about keeping our community safe.

Mr Stanhope: See at the next election, Steve. You will, mate; you will.

MR PRATT: Well, Chief Minister, we shall see.

The ESA restructure is another classic example of Stanhope government transparency—the failure of this government to even go out to the stakeholders and to important community lobbyists and say, "We believe we need to restructure the emergency services. We believe we need to tear up a key McLeod inquiry recommendation that the ESA needed to be an autonomous agency. We need to do something because we have got problems." That would have been a responsible exercising of transparency and taking the community into the government's trust. But they did not do that.

Mr Stanhope's senior officials turned up and told the volunteers and the senior professional officers: "This is what you are going to get whether you like it or not, and really, guys, the reasons we are doing this are budgetary; it is to save money. We're not doing this to make the emergency services any more responsive or any more capable of making our community safer. We're doing this because the bureaucrats and the bean counters have told us that we have to. And, gee, we're going to go along with them because we don't have any imagination in this government."

What have this government worn? They have worn a broad, almost rebellious approach by our volunteers. They have worn the ire of some very good professional officers, some of whom either have been forced to resign or have voluntarily resigned in disgust—not only in disgust because this government will take the emergency services back to the pre-2003 model which failed the ACT community in the January 2003 fires but because this government would not take the experts into their trust. They would not take good men and women into their trust to talk about the changes. And why would they not do that? Because they knew the proposal was not going to fly and so, to avoid what would have been quite genuine and well-placed criticism by volunteer leaders, professional leaders, they just dumped it upon them. So what have we got now? As we sit here today, we have got an emergency services organisation that has tied itself up in knots, with 40 or more captains and vice-captains on strike and a very, very low morale problem.

With regard to emergency services communication projects, this government appropriated \$23.5 million in 2003-04 to put in place a new range of communications programs. That was a hell of a lot of money spent. There was a lot of criticism at the time that it was not necessary to spend that amount of money to simply streamline communication programs. Whether or not it was necessary to spend that amount of money to replace the failed communication programs at that time, or a lesser amount of money to perhaps patch those programs up, is a moot point. Clearly, there was some sense in introducing a trunk radio network to make us that much more compatible with New South Wales.

But the point is that you spend so much money and you justify the large expenditure and also justify cutting corners on tendering procedures—for example, the single-source tender for FireLink—because you need to mobilise that program and have it on the ground by bushfire season 2004-05. You say, “That is why we have not gone out to broad tender. By the way, the commodity called FireLink is an unproven commodity. But, gee, that doesn’t matter; we are only going to single-source tender.” Transparent, open and honest government!

Then, when the community and the opposition believe that it is very, very important to scrutinise why all of that occurred, you collapse in a scrum. In estimates committee after estimates committee and in annual report hearings after annual report hearings we have never had the truth borne out, and as we sit here today at a quarter to six on 3 May, FireLink still does not work. So much for transparency, honesty, accountability and accounting for your capabilities!

This government are a dud government when it comes to transparency and telling us why things have failed. They do not want to tell us. For God’s sake, Chief Minister, if you were to say, “Yes, okay, we have just spent \$5½ million on what was supposed to be a \$3.2 million project and it has failed and we are going to go back to the drawing board,” we would probably say: “Well, silly old you, but at least you have recognised that fact; you are going back to the board; you are justifying the remedial action you are going to take.” You would have a lot more support and a lot more understanding from this opposition and from the community. But you do not do that. There is an arrogant, stubborn approach to keeping everything under wraps: “Don’t admit failure when you’ve failed or when your bureaucrats have failed.” That is why this

government are losing the trust of this community. They are not transparent, they are not open and they conceal mistakes—to the detriment of this community.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (5.47): The motion is a simple one and what it calls on the government to do is simply to provide the people of the ACT with an assurance that its spending can be detailed and measured to provide a tangible benefit to the people of the ACT and to provide a guarantee that ensuring good governance is a priority for the ACT government. That is not rocket science. We do not need any tricks or games, like the Chief Minister is playing games by doing the usual substitution to turn the motion into one congratulating the government. That is ridiculous. In fact, that in itself goes against the government's core values, the government's statement that it put out in 2001 when the Chief Minister—

Mr Stanhope: Excellent document.

MR STEFANIAK: It is an excellent document, Chief Minister, and what we are calling on you to do is to live up to it. What we have heard here today in this debate, which has ranged over quite a number of topics, is a liturgy of failures where you have gone against your own—

Mr Stanhope: A liturgy?

MR STEFANIAK: A litany; I am sorry. I keep saying “liturgy”. I will use different words: a whole series of failures—a stack of failures, myriad failures—over the 5½ years of your government where you have failed to live up to these noble sentiments which go for a number of pages. I will just deal with a few others. You stated:

ACT Labor does not have core and non-core promises. What we say is carefully considered and realistically judged. We will stand by what we say.

There will be no hoopla, no circuses, in a Stanhope Labor Government.

There will be no gloss.

There will be no beating of the breast.

How much breast beating have we seen from this Chief Minister and this government, over the last couple of years especially, and especially since they have attained majority government and become the most arrogant government we have had in the ACT since self-government? He went on to say:

There will be no Bruce Stadium fiascos, no Canberra Hospital implosions, no bizarre oddities—

We have seen any number of fiascos here, and my colleague Mr Pratt has just listed a large number in the emergency services areas. Talk about fiascos! I had never before seen every brigade captain and deputy captain come in here with their vehicles and hand their keys in. I had never seen such a fiasco as we saw, and we still see, in relation to emergency services in this territory, with people who have given decades of service being absolutely disgusted with the lack of transparency and the lack of

consultation—the fact that this government simply does not listen. It does exactly what it wants to do; it does not have any regard for the community whatsoever. We saw only recently those fine people in emergency services come here and make that statement. That was something we had never ever seen in the ACT before, and I certainly hope we will never see anything like that again.

That is indicative of just how far this government has strayed from the noble sentiments expressed in this document by the Chief Minister when he was Leader of the Opposition in 2001, and that is something that does really annoy the people of the ACT, because this is the most secretive government we have seen, it is the most difficult government for people to get to see to make their point of view, and it seems to have just closed up shop in relation to principles of accountability and transparency.

No beating of the breast? Well, the Chief Minister does it virtually every day in this place. No Canberra Hospital implosions? We had the bushfire coronial inquiry. That was very, very significant. No bizarre oddities? We have had this amazing bus lane which we have been talking about a bit this week—a bus lane from Belconnen to Civic which would cost over \$100 million—finally canned, but not until after several million dollars were actually spent. And what about Al Grassby's statue? That is probably getting into the bizarre oddity category. He also stated:

An ACT Labor Government will defend the Westminster traditions and practices. A Stanhope Government will enforce a robust system of Cabinet government where decisions are made with the benefit of comprehensive advice, and with adequate time to consider all the relevant issues.

Well, there are a lot of issues in relation to the Westminster tradition which we see in this government, especially in relation to the bushfires. About the budget itself the code of good government stated:

That it is not to say ACT Labor will draft its Budget behind closed doors or in isolation from the community. But that process will not be the carefully controlled process of the Liberals. We will open debate with the community, rather than contain it to the Members of the Assembly.

Openness is one of our core values. We understand that we cannot construct a Budget ...

Mrs Dunne: Core values.

MR STEFANIAK: Indeed, core values. Actually that is interesting, Mrs Dunne; there were not going to be core and non-core, but these are core values. So openness is one of their core values—or it was then. It states:

We understand that we cannot construct a Budget or a program of government without responding to community needs. While we will seek to lead the debate around these needs, and an order of priority, we will not leave the community behind.

Labor will adopt a sensible and public Budget timetable that will allow ample time for submissions from the community, peak organisations, Government departments and agencies, and Assembly Committees.

And what about the last budget? Yes, there were community submissions made. But they were obviously completely ignored, because virtually every section of the community had a problem with that budget. And what did we see when it came to Assembly committees? The government put three of its members and only two non-government members on that particular committee, ensuring that it got the chair, overturning—not decades, because we have only been going since 1989, but overturning—the established conventions of this Assembly. That really showed the government's contempt for the workings of the Assembly and the Assembly committees and again it made a mockery of what it was going to do in relation to the budget.

If you look at virtually any page in this document, the government has gone against its own noble words. If there has ever been a government in this place that has become totally unaccountable, does not have regard for the conventions that we have built up with some effort over the close to 20 years this place has been going, has breached all the fundamental principles that it set out in its own code of good government and continues to breach them, it is this government—and it should be ashamed of itself.

Yes, Chief Minister, I think you probably can take a leaf out of the previous Liberal government's book. It was not perfect. It is interesting that you make some veiled praise of it in this document, saying that it kept Canberra ticking over and that it was not all bad. Of course your government is not all bad. But your government has failed to live up to the principles in this document. Your government has not been accountable. Your government has been the least approachable government since self-government. Your government has become arrogant. And your government is failing to deliver on these very fine principles that you set out not all that long ago.

All our motion does is call on you to provide the people of the ACT with an assurance that spending can be detailed and measured to provide a tangible benefit and to provide a guarantee that ensuring good governance is a priority for the government. Surely you should have no trouble in reiterating those very, very basic and not too difficult aims which we are asking you simply to reaffirm here today. Obviously you are not going to do that, and that in itself shows a certain kind of arrogance and disdain and indicates just how far you have strayed from the words you issued and uttered in 2001.

Question put:

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

The Assembly voted—

Ayes 8		Noes 7	
Mr Barr	Mr Gentleman	Mrs Dunne	Mr Seselja
Mr Berry	Ms MacDonald	Dr Foskey	Mr Smyth
Mr Corbell	Ms Porter	Mr Mulcahy	Mr Stefaniak
Ms Gallagher	Mr Stanhope	Mr Pratt	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

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

Adjournment Housing—public

DR FOSKEY (Molonglo) (6.00): I mentioned yesterday that we have had a number of letters from housing tenants who are really concerned about housing policy. I want to read a letter that I received today. It reads:

I am a housing tenant and I am really anxious about this new housing policy—all the more so as ACT Housing don't seem to have much detail either. When I rang the Department last week, the lady I spoke to told me they've had many in tears on the phone. Moreover, they are wanting them to push some shared equity scheme on people. (Personally I would prefer the old Housing Trust scheme—axed by Carnell, I think.).

I am concerned that there is a fixed line in the sand—80K—irrespective of the number of dependants. This is not equitable and does not take into account differing “income units”.

I am concerned that, while they are going all “softly softly” and reckon they will just be “encouraging” people to “see sense” and addressing the issues “on a case by case basis”, who's to say the next mob won't enforce the letter of the law?

Can they **really** implement this retrospectively? Do tenants have **any** contractual rights in this at all? Even the Libs, when they tried to ditch security of tenure, didn't bring it in retrospectively!

I am also really upset that they give people a box with no curtains or light bulbs, have quite harsh rules about children sharing bedrooms etc (is this community standard? no, but it's OK for “poor” people, clearly) then sit back and watch people do up their house and garden, only to reclaim the property when the kids grow up by making you move to a smaller place—probably flogging it off for a motza. Hm, Ms Foskey, this sounds very familiar.

I should add that this policy review could have been really productive and positive—they could have reviewed the way they assess income, for instance. They really should be assessing on disposable income, not gross. Someone like me (APS 4) with one income, three kids and a HECS debt, does not have a lot left over after paying full rent. I get money from the Feds because I am on a “low income” and I have to pay full rent to ACT Housing because they think I am on a high income. What the?

I apologise if this email is less than coherent. I am really really angry/worried about this, and feel completely disempowered. The way I see it, this local govt is gunning for people like me—someone who has children in the public school system, uses libraries and buses, drinks pristine Canberra tap water, and NOW (the final straw) passes this mean Housing policy. I am gutted. Clearly, when you get your life together after finally having some kind of stable housing situation,

you are no longer “deserving”. They want to put you back where you “belong” in uncertainty, insecurity and instability.

It’s even more galling when you realise that this is probably just a short term fix to cover up the fact that they are not investing in Housing stock, and haven’t been for a while, together with burgeoning housing lists due to this shortage plus crazy property and rental prices. They promised funding, then they pulled it a couple of years ago. Now they just want to get a few people out of a few houses and get a few off the waiting list—so what if the ones you have chucked off are back on the list in a year or two? The stats will still look good. This is so cynical and cruel.

I couldn’t believe it when Mr Hargreaves said no one must care, because he’d had hardly any calls about this policy. Well, der—who would call the guy who closed Griffith library and stuffed up the buses, to seek assistance?

Thanks for fighting the good fight on my behalf.

Regards

Death of Mr Pat Develin Belconnen to Civic busway

MRS DUNNE (Ginninderra) (6.04): Saturday last saw the passing of Patrick John Joseph Develin, whom we will all know as Civic pharmacist Pat Develin. Pat Develin was a third generation pharmacist. His grandfather opened a pharmacy in Ireland nearly 120 years ago and he grew up in his own father’s pharmacy in Parramatta.

He said that his apprenticeship as a pharmacist began the day he was born, although it only started officially in 1948 when he began his pharmacy studies. He qualified after passing the New South Wales pharmacy board exams in 1951. Pat Develin came to Canberra in the late sixties. Not long after his arrival he was instrumental in setting up the board of directors of Canberra and Southern District Pharmacists Co Ltd, known as Marchem, which operated for many years.

From 1970 he was a member of the pharmacy guild, originally of the New South Wales branch. Later he was instrumental in setting up the ACT branch. He served on the board of the ACT pharmacy guild from 1988 until his illness at the end of 2006. On a number of occasions he was vice chairman of the board. He was vitally involved in setting up most of the pharmacy organisations in the ACT and was actively involved in setting the first ever agreement between the federal government and the pharmacy guild.

Pat was a third generation pharmacist and even after his retirement he gave a lot of his time to advising, counselling and being of general assistance to the pharmacy family in the ACT. Two of his children are also pharmacists, and to his family and to the extended pharmacy family in the ACT, I express my condolences at the passing of this great Canberran.

Another passing that was noted yesterday by Mr Seselja was that of the busway. But it seems that CPR may have been administered overnight, because just now the

Chief Minister has said that perhaps one day the busway will be built. In terms of public policy, I welcomed Mr Hargreaves's announcement that there would be no budget bid for the busway, and I know that Mr Seselja metaphorically gleefully danced on the grave of the busway.

I also welcome the demise of the real-time public transport information as an inappropriate expenditure. I do not deny that real-time bus information or public transport information is a good thing, but at the moment there are things that we would be better off spending our money on than that level of sophistication. First of all, we need to have a reasonably regular bus system that would provide the people of the ACT with an alternative to using their cars.

Instead, we should mourn this government's complete abandonment of any public transport policy. With the changing of the guard on 13 April, we have a minister who has taken on the role of sole commissar of public transport in the ACT. He has no ideas and no vision when it comes to innovation in public transport. To his credit, Mr Hargreaves has done some innovative things in relation to the taxi industry. Some of the changes we have seen may well be improvements, and he should be encouraged in that regard. But in every other aspect this government is bereft of ideas in public transport.

It is a great shame that the enthusiasm that Mr Corbell started off with in public transport has come to nothing, and I think that is probably because much of the public transport debate became derailed in the drawing up of the sustainable public transport plan. I think the government relied too heavily on advice from people who had their experience in the development of the Brisbane busway. We had transport economists who came here during that time who really were not in touch with what was happening in Canberra. So out of touch were they that they actually had parking spaces designated for them at ACTPLA. (*Time expired.*)

Anzac Day Tharwa bridge

MR PRATT (Brindabella) (6.09): I rise tonight to quickly address two issues. The first is Anzac Day. I would like to thank John King and the men and women of the Tuggeranong RSL branch for making opposition members welcome. I thank them for their hospitality at the end of what for those men and women was a day of commemoration and thinking about the loss of friends in various theatres of war.

I would also like to put on the record my admiration for Major General Clunies-Ross, Steve Gower and the members of the Australian War Memorial committee for their work at the Anzac Day ceremony and also the preparation of the Australian War Memorial, which was well used by a lot of people for the rest of the day after the main service. Congratulations to them.

Secondly, I want to mention the Tharwa bridge. Today we tabled a petition with 1,909 signatures of people calling for the urgent installation of a low-level bridge crossing across the Murrumbidgee as a temporary arrangement pending the commencement of the bridge project.

I have no great difficulty with the government's main bridge project. I question the amount of time it will take. I still have a major question, though, as to whether the existing bridge itself cannot actually be retained, refurbished and at least used for light traffic. I notice that Tharwa residents who have been talking to experts have a view that that option should not yet be closed off. But they are finding great difficulty getting answers out of the government as to whether that option can be re-explored. That is an issue that the opposition will be taking up.

In the meantime, poor old Tharwa is somewhat strangled. It is left to fend for itself in many respects. The closure of that school was an absolute disgrace and a crime as far as I am concerned, and now there is the problem with the bridge crossing. As well as the broader, more strategic issues around tourism and quicker access by ACT Emergency Service vehicles to the south, particularly at night with the current detour arrangements, the residents themselves really feel left out on a limb and neglected by this government. Time and again we have urged the government to go back to the commonwealth to see if they can get commonwealth assistance, perhaps military assistance, to do something about expediting a low-level crossing.

The advice I have is that if the work was done with local resources and manpower, including a lot of volunteer manpower and the provision of plant by people in the southern areas of the ACT, that low-level crossing could probably be built for somewhere between \$50,000 and \$100,000—the price of the Al Grassby statue, in effect. The opposition calls for this government to act, to do something to open up those avenues to Tharwa. Again, I identify misplaced priorities: statues versus essential services. I call on the ACT government to do something about this low-level bridge crossing option as an urgent service to help the people of the ACT.

Political exchange program

MR SESELJA (Molonglo) (6.13): On Monday I returned from the United States where I had the opportunity to take part in a political exchange hosted by the American Council of Young Political Leaders and co-sponsored by the Australian Political Exchange Council. A political exchange program is an opportunity for young political leaders to learn about the political systems of other nations and to exchange views and make connections with leaders in those nations.

The delegation consisted of representatives of the Liberal Party, the Labor Party and the National Party and included a mix of elected representatives, party directors, ministerial advisers and one corporate representative, with delegates drawn from Western Australia, Victoria, Queensland, Tasmania, New South Wales and the ACT.

While in the United States, I had the opportunity to meet with the US secretary for agriculture, various congressmen and women, the governor of the state of Washington, the mayor of Louisville, representatives from the Republican National Committee, Democratic fund raisers and members of the Democratic Party and senior representatives of the Australian Embassy. Prior to leaving, we also got to meet with, and had a briefing from, the US Ambassador to Australia.

We also met over there with state representatives, local city and county representatives, lobbyists, union officials and various party and political officials, as well as members of the public service, in particular the state department in Washington DC.

It was a great opportunity and one which I understand a number of past and present Assembly members have taken part in. I believe Mr Corbell went on a previous political exchange, although not to the United States. I think Ms Dundas, who was previously here, may have gone on one of these, and I am sure there are many others.

I would like to take the opportunity to thank Jody Chapman from the Australian Political Exchange Council, who worked very hard to organise the trip from the Australian end, and to the ACYPL, the American Council of Young Political Leaders, who hosted the visit and organised most of the program.

It was a fantastic opportunity. It was fascinating to learn a little bit more about the US political system and how it works at the various levels. There is much we can learn from them but there is also, I think, much they can learn from us. There are a lot of oddities that we see in the system from our perspective as Australians travelling over there. It was very interesting to compare and contrast.

One of the interesting aspects was the opportunity to compare and contrast the situation of the District of Columbia versus the Australian Capital Territory. While we were over there, in fact, the House of Representatives passed a bill that would give representation in the Congress to the District of Columbia. To date, they have not had representation. At the moment I believe they have an observer. I am not sure whether that passed the Senate while I was there or subsequently. I understand that the trade-off was that there would also be an extra congressman from Utah, which is a Republican stronghold, so that the balance in the House of Representatives would not shift. I think that is similar to our experience back in 1975 when the ACT and Northern Territory were given senators. It was interesting to compare and contrast. Interestingly enough, I think we do better for representation than DC does, but I think we could certainly do better in future.

I found the exchange very valuable and I am sure all the delegates found it very valuable. The cross-party connections, as well as the connections made with various political leaders in the United States were certainly valuable. I am very grateful both to the Australian Political Exchange Council and to the American Council of Young Political Leaders.

Debate interrupted.

Leave of absence

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

That leave of absence be given to Mr Hargreaves for today's and tomorrow's sittings.

Adjournment

Debate resumed.

Sport—Canberra Stadium

MR STEFANIAK (Ginninderra—Leader of the Opposition) (6.19): There is a matter that I would like to see Mr Barr take up as the minister responsible for the Canberra Stadium. Recently, there has been some difficulty with the ACT Junior Rugby Union holding their final series at the stadium. In recent years they have held very successful finals series there. I understand that it brings a fair amount of money to the stadium, so it is a very worthwhile event. It is held at a time of year when the stadium is not particularly well used, in late August, early September, on weekends that do not clash with any other users of the stadium. I understand that would be the case again this year.

I am particularly concerned to hear that the ACT Junior Rugby Union may no longer be able to utilise the stadium this year. I think that would be a lose/lose situation for everyone. I ask the minister to take that up with the stadium authorities to see if a bit of common sense can prevail to let those players with a future play their final series there.

The event, I understand, brings in over the course of a weekend about 20,000 people—parents, spectators and the kids themselves. It is a particularly useful addition to the stadium's calendar. As much as anything else, the stadium really is there to be used not just for Raiders and Brumbies games but for concerts and for other activities. Surely promoting junior sport through the use of the stadium—and it gives the kids a huge thrill to play on such a venue—is a great positive. I was particularly concerned to see that may not occur this year. I ask the minister to take that up.

Question resolved in the affirmative.

The Assembly adjourned at 6.19 pm.