



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

SIXTH ASSEMBLY

30 AUGUST 2007

www.hansard.act.gov.au

Thursday, 30 August 2007

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Thursday, 30 August 2007

MR SPEAKER (Mr Berry) took the chair at 10.30 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Murray-Darling Basin Agreement Bill 2007

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

Title read by Clerk.

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (10.32): I move:

That this bill be agreed to in principle.

The Murray-Darling Basin agreement promotes and coordinates effective planning and management for the equitable, efficient and sustainable use of water, land and other environmental resources of the Murray-Darling Basin. The commonwealth, New South Wales, Victoria and South Australia established the agreement in 1985 and Queensland joined in 1996.

In 1997 the ACT sought and received from the Murray-Darling Basin Ministerial Council agreement for ACT participation in the Murray-Darling Basin initiative. At that time it was agreed “that the nature and extent of the ACT’s future participation and involvement could be adequately covered by a memorandum of understanding”. A memorandum of understanding was subsequently signed in March 1998.

The MOU made provision for participation in programs that are relevant to the ACT, participation in ministerial council and commission meetings by ACT representatives, and set a framework for financial contribution to the initiative.

The MOU specifically excluded the ACT from any involvement in or liability in respect of water management activities conducted by the commission through River Murray Water in the River Murray and Lower Darling River. However, the major shortcoming of the memorandum of understanding was the limited provision for the ACT’s participation in ministerial council and commission decisions. Both the Murray-Darling Basin Ministerial Council and commission are consensus based forums with matters being agreed unanimously, effectively giving each jurisdiction a veto. The ACT participated in discussions but not in any decisions. Thus, the ACT had no right to veto a proposal. On the other hand, the ACT was not bound by the decisions of the council.

The Murray-Darling Basin agreement makes provision for the accession of new parties and specifies that the terms and conditions of participation of new parties will be set out in a schedule to the agreement. The Murray-Darling Basin Ministerial Council agreed to full ACT membership on 19 May 2006. This is incorporated in the

revised schedule H reflecting the scope of the previous memorandum of understanding but providing for full participation in relevant decision making that concerns the ACT. It continues the exclusion of the ACT from liability arising from the operation and management of the River Murray.

The Murray-Darling Basin agreement requires that each participating jurisdiction enact legislation to give effect to the agreement as soon as practical after joining. This bill satisfies that requirement. It is a simple bill to give effect to the Murray-Darling Basin agreement in the ACT.

The need for ACT Murray-Darling Basin agreement legislation is now more acute given the scope and provisions of the commonwealth government's Water Bill 2007. The Murray-Darling Basin Commission will continue to function for some time irrespective of the timing of the enactment of the commonwealth government's Water Bill 2007. Transitional arrangements of the commonwealth's water legislation may incorporate aspects of jurisdictional participation in the Murray-Darling Basin agreement.

The current form of the agreement is included as schedule 1 and schedule 2. Part 1 contains information on commencement of the act, a dictionary and terms used in the Murray Darling Basin agreement. Part 2 contains the key functions of the bill, the approval of the agreement and the function and appointment of commissioners. Part 3 sets out general and administrative responsibilities required by the agreement. It includes actions that must be taken if the agreement is amended or new parties join the agreement.

Given the ACT's membership, we are progressing the development of an ACT cap on annual diversions for the territory's water requirements under the Murray-Darling Basin agreement. The cap will reflect current levels of use as well as a requirement for the capacity for the future growth of the ACT.

Schedule 1 provides for the Murray-Darling Basin agreement. Schedule 2 provides for the Murray-Darling Basin amending agreement 2006 which refers to approved amendments to the agreement from 2003 to 2005. I commend the bill to the Assembly.

Debate (on motion by **Dr Foskey**) adjourned to the next sitting.

Legal Profession Amendment Bill 2007

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

Title read by Clerk.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services) (10.37): I move:

That this bill be agreed to in principle.

It is with considerable pleasure that I present the Legal Profession Amendment Bill 2007. This bill makes a number of substantial and technical amendments to the Legal Profession Act 2006, to finalise the ACT's agreement to implement the national legal profession model law.

Last year, this Assembly passed the Legal Profession Act 2006, which repealed and replaced the Legal Practitioners Act 1970. The new legislation represents a major milestone in achieving consistency and uniformity in the regulation of the Australian legal profession. Importantly, when all jurisdictions have implemented the model law, it will also be easier for lawyers to practise across state, territory and international borders.

When the new act commenced operation on 1 July 2006, work was already underway to review and improve the model law. That task, undertaken by the National Legal Profession Model Laws Joint Working Party, was completed earlier this year, and all jurisdictions have now moved to amend their legislation to implement the revisions.

The majority of provisions in this bill reflect revisions of the model law. There are, however, several important amendments that flow from the significant contribution of the Law Society of the ACT and the ACT Bar Association to the development of the bill. Costs disclosure and trust account provisions, in particular, underwent significant review in response to submissions from the legal profession.

I will discuss those provisions in a moment, but I would first like to express my sincere gratitude to the bar association and the law society for their considerable effort and cooperation in achieving what I think is an outstanding result.

I am aware that not all of this legislation is precisely as the local profession would have preferred it. In some cases, the government has been bound by the terms of the national model while, in other instances, there may have been differences in the policy approach taken.

The profession has, with a view to achieving a timely implementation of this legislation, been prepared to put aside some of its concerns for later discussion. This says much about the commitment and professionalism of our barristers and solicitors, and their representative bodies.

Members may recall, from discussions about this legislation in June last year that the model law provisions were of three types:

- “core uniform”—being core provisions that are to be adopted in each state and territory, using the same wording so far as practicable.
- “core non uniform”—which are core provisions that are to be adopted in each state and territory, but the wording of the model provisions need not be adopted.
- “non core”—which are voluntary provisions, and states and territories can choose the extent to which they adopt these provisions.

A further category of “core uniform if adopted”—being provisions that are not mandatory, but must be uniform if adopted—was implemented during the review of the model law.

A large number of the provisions in this bill make merely technical changes, and I will not discuss those in detail at this time. Many of the technical or corrective amendments flow from more significant provisions in the bill.

Many of the provisions of this bill simply reflect mandatory amendments in the model law. I will briefly summarise the more significant refinements.

Provisions relating to a person's eligibility for admission to the legal profession, and to obtain a practising certificate, have been clarified in line with changes to the model law. It has been of utmost importance in this project to ensure that the requirements for qualifying and licensing lawyers are as uniform as possible throughout Australia.

The bill also refines the provisions relating to the registration and regulation of foreign lawyers.

Section 41 is amended in a number of respects, the most significant change making it clear that the obligation to apply for a local practising certificate in the ACT applies only to a practitioner who reasonably expects to engage in practice solely or principally in the ACT in the next financial year. The existing provision is more onerous, imposing the obligation upon a practitioner who expects to practise in the ACT in any capacity in the next financial year.

Clause 99 inserts a new subsection 210 (4) into the act, setting out who may exercise the power given to a law practice or an associate of the practice to deal with money on behalf of a person. This is an important protection for the client and a particular amendment to the model law that this government strongly supports.

A new section 223A provides that a law practice must not withdraw trust money from a general trust account otherwise than by cheque or electronic funds transfer. The section expressly prohibits cash withdrawals, ATM transactions and telephone banking transactions. A new section 224A makes similar provisions for controlled money accounts.

Members may wish to pay particular attention to clauses 95 to 124 of the bill, which make a range of important, if often small, changes to the provisions of the act relating to trust money and controlled money. The amendments follow revisions to the model law that significantly clarify the obligations of legal practitioners in relation to money held on behalf of other people.

The bill also makes extensive improvements to the provisions of the act in relation to costs disclosure and assessment, also largely in accordance with revisions to the model law. Again there are some important clarifications of protections for clients and other people responsible for paying bills, as well as some practical amendments to reduce the level of unnecessary disclosure and notification undertaken by law practices when dealing with experienced clients. Members are referred to clauses 125 to 198 of the bill.

Clause 140 substitutes a new paragraph 269 (1) (b) (iii) into the act. A law practice must disclose to a client the client's right to request an itemised bill if the lump sum

bill is more than the “threshold amount”, which is \$1,500. The displaced paragraph imposed a time limit of 30 days on the making of a request.

In fact, the provisions allowing a client to seek an itemised bill have been substantially reviewed. A person who has been given a lump sum bill for more than \$1,500 may ask the law practice for an itemised bill, but the request must be made within 90 days of receiving the bill. To balance that, the law practice must not commence proceeding for recovery of costs until at least 90 days after the person is given the lump sum bill. If a person asks for an itemised bill, the practice must not commence any proceeding for recovery until at least 30 days after the person is given an itemised bill.

Some clients may enter into a costs agreement with their legal practitioner, and that agreement might provide for an uplift fee—a premium to be paid by the client, in addition to “normal” costs, on the successful outcome of a matter. Section 274 of the act has been amended to clarify the requirement to disclose to a client how an uplift fee is calculated and why it is justified. The requirement is in addition to the usual requirements for disclosure of costs.

Under the act, it is not necessary for a legal practice to make full costs disclosure to “sophisticated clients”, such as public companies, government departments and financial service licensees, who are in a position to seek any information they require. This bill expands the categories of “sophisticated client” to include liquidators, administrators and receivers, large partnerships and joint ventures, or joint venture proprietary companies, when one of the members or shareholders is a person to whom disclosure and notification is not required—provided that the person agrees.

A number of new provisions set out the responsibility of legal practitioners, including registered foreign lawyers, to hold professional indemnity insurance. Earlier versions of the model law had not resolved how the issue of professional indemnity insurance would be addressed.

There are also numerous amendments to the act that did not arise from revision of the model law, but which address the particular needs and circumstances of the local legal profession and its clients. Those amendments follow extensive consultation with the law society and the bar association. They relate to a number of areas of regulation of the profession, particularly to the establishment and functions of the disciplinary tribunal, the role of the Supreme Court in costs assessment and the manner in which statutory deposits are managed in the ACT. I will briefly summarise the more significant amendments.

Section 288 of the act currently provides that a person may apply to the Supreme Court to have a costs agreement set aside if it is not fair and reasonable. This bill amends the section to allow the court to set aside part of an agreement, rather than all of it, in appropriate circumstances.

If costs have been assessed by the court, and a legal practice is entitled to be paid costs, the practice may recover those costs as a debt. This mirrors the ability of a person who has paid costs, and whose liability is reduced on assessment, to recover the overpaid amount from the practice, under the new section 300C.

In relation to disciplinary proceedings, if the disciplinary tribunal is satisfied that a proceeding may be decided on the material filed with the tribunal without hearing the parties, and the parties consent to that process, the tribunal may decide the matter without a hearing.

New provisions will restrict publication of the identity of a person who is the subject of disciplinary proceedings. However, the person's identity may be published if the tribunal has made a final decision that the person is guilty of the conduct complained of, and either the appeal period has expired and no appeal has been made, or any appeal has been decided against the person who is the subject of the complaint.

A new section 587A will protect any person from civil liability for any act or omission, done honestly and without recklessness, in the exercise of a function under this act, or in the reasonable belief that the act was in the exercise of a function under this act. The section is intended to apply in addition to other more specific provisions in the act giving protection from liability.

Final implementation of the national model has been a long time in the making. The development of the model law itself has been a long and torturous process, requiring a good deal of good will and effort on the part of the various jurisdictions and their departmental representatives.

At last, this Assembly is in a position to complete the local process of adoption of the model law, allowing the ACT legal profession to commence operation under the new legislation on 1 October 2007.

It is particularly important that we note the preparations the profession has made to implement the new trust accounting and costs provisions on 1 October 2007. Members will be aware that the existing act provides that, until 1 October, the trust accounting and costs provisions of the repealed Legal Practitioners Act 1970 continue to apply.

In conjunction with the impending commencement of the amended act, I will soon be presenting a comprehensive revision of the Legal Profession Regulation 2006, which is an important component of full implementation of the national model law.

My hope is that members will accept an invitation to briefings, both on this bill and on the proposed regulations, before this bill is brought on for debate. Officers from my department will be available to arrange discussions with members who are interested, and members should contact my office.

I understand that the national working party has already scheduled further consideration of revision of the model legislation, leading up to the planned two-year review, and I expect that there will be much to discuss as the operational aspects of the new laws are tested in the workplace. In the meantime, I commend the efforts of all of the stakeholders in this legislation in bringing it to this critical stage. I commend the bill to the Assembly.

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

Occupational Health and Safety Amendment Bill 2007

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

Title read by Clerk.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (10.50):
I move:

That this bill be agreed to in principle.

The Occupational Health and Safety Amendment Bill 2007 which I am introducing today updates part 2 of the Occupational Health and Safety Act 1989 in relation to the OHS Council and improves the construction of the safety duty offences in the OHS Act and the Dangerous Substances Act 2004.

This government maintains a strong commitment to improving work safety in the territory and is dedicated to building a robust and modern body of legislation. In 2002 the government embarked on a major review of work safety legislation. This bill is yet another step in this important process.

The government has been assisted throughout its review program by the Occupational Health and Safety Council. The council is a tripartite body established under the OHS Act to provide advice to the government on health and safety in the territory's workplaces.

The first phase of the review saw the introduction of two significant bills earlier in the life of this Assembly. The first bill addressed the council's report to government on the compliance model under the OHS Act and established an enhanced compliance and enforcement framework for work safety.

The second bill saw the creation of the Dangerous Substances Act which repealed and replaced the outdated dangerous goods legislation.

While the bill I am introducing today contains relatively minor amendments to the OHS Act it is significant because it represents the first stage of the second phase of the government's comprehensive review of work safety legislation.

The completion of the second phase of the review will see the introduction of new legislation to repeal and replace the entire OHS Act and provide a revised framework for work safety in the territory.

This second phase addresses the OHS Council's 2005 review of the scope and structure of the OHS Act. As part of its review the council recommended that "a new and rationalised OHS Act for the regulation of health, safety and welfare at work be developed and introduced".

A significant amount of work has gone in to the planning and development of the new legislation. This is a major initiative that has been identified in the 2007-08 budget.

As I mentioned, the legislation will, among other things, address the recommendations contained in the council's review. The legislation will also reflect the new governance arrangements for the delivery of OHS regulatory functions through the Office of Regulatory Services. It will also incorporate national work, through the Australian Safety and Compensation Council and COAG, to develop nationally consistent OHS standards and principles for adoption by state and territory governments. I understand a level of agreement is expected to be reached on these principles shortly.

This is of extreme significance to the territory as the timing will enable us to be one of the first jurisdictions to implement the nationally agreed principles and be at the forefront of OHS regulation. It will also see the territory better placed to adopt and implement nationally agreed codes of practice and standards for OHS.

This government is dedicated to modernising and improving the regulation of work safety in the territory. A further example of this is the Attorney-General's recent announcement of the retention of an independent Occupational Health and Safety Commissioner as part of the establishment of the Office of Regulatory Services.

The establishment of the Office of Regulatory Services was announced in last year's budget and brought together regulatory activities associated with the Office of Fair Trading, ACT WorkCover, the Registrar General's Office, Parking Operations, tobacco licensing, outdoor cafes and the Independent Competition and Regulatory Commission to remove unnecessary duplication of administrative costs.

Under the revised arrangements OHS enforcement activities are being undertaken by the Office of Regulatory Services. The independent Occupational Health and Safety Commissioner will report to me, as Minister for Industrial Relations, and will primarily be responsible for promoting understanding, acceptance of and compliance with the OHS Act and associated laws. The commissioner will also undertake research and development of educational programs to promote occupational health and safety and review ACT laws to monitor consistency with the Occupational Health and Safety Act.

The commissioner will play a critical role in raising awareness within the community of OHS responsibilities, including responsibilities under new legislation. Retention of the role also demonstrates the importance this government places on education and promotion of work safety in the territory. OHS enforcement must involve the appropriate use of a range of enforcement strategies. These strategies begin with education and advice and can escalate, in appropriate situations, to prosecutions and sanctions—this is commonly referred to as the “enforcement pyramid”.

Such a pyramid approach stimulates involvement in health and safety outcomes through a balance between advice and education at the bottom, broader end of the pyramid and persuasion and punishment at the top. The commissioner will play a key role in the provision of education and advice and will conduct research and develop

strategies to focus on areas posing the greatest risk to health and safety and target activities to circumstances where it is most likely to be effective.

To ensure an appropriate level of independence in this work the commissioner will continue to report and be accountable to the Legislative Assembly.

The government is currently developing legislation to ensure retention of the independence of the commissioner's office as part of future amendments required for enforcement of OHS laws by the Office of Regulatory Services. The commissioner position will be advertised for permanent filling shortly.

Today's bill amends part 2 of the OHS Act to focus and better reflect the current role of the OHS Council. Specifically, the bill amends the OHS council provisions to provide one extra ministerial appointment. This will bring the number of ministerial appointments in line with the employer and employee representatives on the council.

The bill creates a statutory requirement that the chair be independent of employer and employee members. This has been the case for recent councils; however it is not a legislative requirement. The amendment will ensure the independent status of the chair is maintained.

The bill transfers the council's powers under part 5A of the OHS Act concerning inquiries and reports in relation to matters affecting public employees to the chief executive of the Department of Justice and Community Safety. These powers have never been exercised by the council and have been delegated to the head of ACT WorkCover or the OHS commissioner since commencement of the provisions in 1994.

The bill also clarifies member representation and requirements and removes provisions from the OHS Act that are covered in the Legislation Act 2001. Finally, in relation to part 2, the bill modernises existing provisions and brings them into line with current drafting practice and human rights standards.

The bill also makes some changes to the construction of the safety duty offences in the OHS Act and the Dangerous Substances Act. The Dangerous Substances Act is being amended to maintain consistency between the regimes.

The government has received various advices on the construction of the offences since their commencement in 2004. All of these advices agree that the provisions, as they are currently drafted, require improvement.

Specifically, the bill attaches strict liability to an existing element of the safety duty offences. The government considers that the revised construction is consistent with the initial intention for the offences.

Currently, under the provisions a person is required to comply with a safety duty. This is the first element of the offence and attracts absolute liability. The second element is that the person commits an offence if the person fails to comply with the safety duty. This element imports a fault element of intention or recklessness in accordance with the Criminal Code 2002. The imposition of a fault element for this element of the offence is inconsistent with the regulatory context and poses unjustified limitations on

enforcement as the prosecution would need to prove that the person was aware of the safety duty and intentionally or recklessly failed to comply with the safety duty.

This is inconsistent within a work safety regulatory context where, for reasons of public safety, duty holders are expected to be aware of their duties and obligations. The bill changes this element of the offence to strict liability.

The third element of offences provides that a person would only commit an offence if the failure to comply with the safety duty exposes another person to substantial risk or causes serious harm. It is important to note that fault applies to this element in that the prosecution must prove that the person was either reckless or negligent as to whether the failure would expose another to substantial risk of harm or cause serious harm.

Under the bill the offences remain fault element offences. The prosecution would be required to prove, first, that there was a safety duty and the defendant failed to comply and, second, that the failure exposed a person to, or caused a person, serious harm, and the defendant was either reckless or negligent in relation to the harm. As such the offences remain fault element offences. This bill is not creating new strict liability offences.

The provisions in this bill are further testament to this government's commitment to build a robust and modern body of work and safety legislation. It is the first stage of a comprehensive review which will see the repeal and replacement of the current OHS Act with new, modern legislation for work safety in the territory. I commend the bill to the Assembly.

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

Administration and Procedure—Standing Committee Report 1

MR SPEAKER: I present the following report:

Administration and Procedure—Standing Committee—Report 1—Application for Citizen's Right of Reply—President of the ACT Volunteer Brigades Association, dated 29 August 2007, together with a copy of the extracts of the relevant minutes of proceedings.

DR FOSKEY (Molonglo) (11.01): I seek leave to move a motion authorising the report for publication.

Leave granted.

DR FOSKEY: I move:

That the report be authorised for publication.

Question resolved in the affirmative.

DR FOSKEY: I move:

That the recommendation be agreed to.

I take this opportunity to present a point of view on this matter. People will remember that some time ago a number of volunteer firemen gathered outside in the square. During the debate that day, Mr Corbell made some remarks which Mr Barling felt referred to himself and the volunteer firefighters. He sought leave to have a right of reply. This request came to the Standing Committee on Administration and Procedure and it was discussed at some length in two meetings. The committee was divided about the action that should be taken in relation to Mr Barling's right to have a right of reply. As a result, the report before us today reflects the fact that the decision was in the negative.

I put on the record that I was one of the people who felt that Mr Barling should have a right of reply because, even though it may not have been considered by everybody that his claim was just, it was very clear that Mr Barling was sincere in his request and that he did believe that the remarks made did affect him. Consequently, I felt that his statement should be tabled in the Assembly. Therefore, I am a little disappointed in the committee's response. Nonetheless, it is in front of members today.

MR SMYTH (Brindabella) (11.04): As members will read in the report that has just been tabled, the committee could not reach a resolution, as is set out in paragraph 4; therefore it was negated and the committee in paragraph 5 recommended that no further action be taken by the Assembly in relation to the submission.

This is a very important issue. We have a large body of volunteers who form the brigades of our rural fire service. They are represented by a body called the volunteer brigades association. As members will remember, on 15 March this year the brigades turned up in their vehicles at the front of the Assembly and left the vehicles and their keys as a vote of no confidence in the minister for emergency services, Mr Corbell, and as a vote of no confidence in the commissioner of the emergency services agency.

Members may recall that there was a big debate that day during which we attempted to censure the minister for his behaviour, and that was defeated. But in the course of the debate certain things were said about the volunteer brigades association, and that prompted the brigades to write to the Speaker asking for a right of reply. I would like to quote from that letter. It is addressed to the Speaker and is headed "Citizens' right of reply". The committee wrote back seeking more information; this is the information that was provided by the volunteer brigades association. I quote:

There are 3 "injured parties" that have been adversely affected in reputation by the Minister for Police and Emergency Services, Simon Corbell. Firstly the Rural Fire Service volunteers of the ACT, secondly the ACT Volunteer Brigades Association and me, personally, as the President of the VBA.

In a future interpretation of the Hansard of 15th March, 2007 any reasonable person would assume from Mr Corbell's reply to Mr Mulcahy from the following transcript—

And he quotes from the *Hansard* where Mr Corbell said:

... and the invitation was made for further discussion on the details of that in the coming weeks. The response, regrettably, of the volunteers in this regard was not to come back with further comment, not to seek further meetings, but to hold the rally they did today.

That is their decision. They are entitled to approach it in that manner. But the offer was made at the time for further discussion.

In his letter, Mr Barling went on to say:

... that the volunteers were offered an opportunity for further discussions, that they refused an invitation to have further discussions on the restructure and that they chose to have a rally as an alternative to further discussions. The transcript implies that the volunteers were unreasonable and uncooperative over the issue of the restructure.

The truth of the matter is that no invitation for further discussion regarding the restructure of the ESA was ever given to me personally—

that is, Pat Barling—

as President of the VBA, or to other delegates present for further discussion; in fact the door of consultation was slammed in our faces.

Bushfire volunteers pride themselves on their commitment to the ACT community and to have the Minister imply that they are unreasonable and uncooperative, from a future historical view of the issue, adversely affects their reputation.

The minister states previously in the *Hansard* of the same day:

“My door has always been open to volunteers. I have never refused a meeting. I have always sat down and talked to them. I have met with the VBA on numerous occasions.”

For the Minister to claim that the VBA refused *“to come back with further comments, not to seek further meetings”* is offensive as the Minister knows full well that no invitation was made to the VBA. Again, he implies that the VBA are confrontationist and unwilling to discuss issues on the restructure, and that from a future historical view of this issue adversely affects the VBA’s reputation.

The Minister knows full well the countless hours that I, as President of the VBA, have put in unpaid hours, in attending meetings with himself, the CEO of JaCS and the ESA Commissioner and Acting Commissioners to resolve issues relating to RFS & SES volunteers. He knows that I prefer to work with the various levels of management/bureaucracy and I have always tried to avoid “media events”. For the Minister to imply that I would refuse to have a meeting on the restructure issue and would rather hold a ‘media event’ does my reputation a great disservice. I have never contacted the media, except in the case of official media releases as President of the VBA. The only exceptions to this have been when the media has, in fact, contacted me in response to statements and actions of the Minister, the Government, JaCS and the Commissioner.

The Minister has misled the Assembly in replying to Mr Mulcahy and in doing so has adversely affected the reputation of the ACT RFS volunteers, the VBA and Pat Barling (President of the VBA).

I request that this response on behalf of the RFS volunteers, the ACT VBA and Pat Barling (President of the ACT VBA) be included in the parliamentary record in *Hansard*.

The letter is signed by Pat Barling, President of the ACT VBA. There were three AGMs of various brigades last night, and I can inform the house that the feeling at those three meetings was very strong on this issue. There are very, very unhappy groups of volunteers out there who still claim they are not being heard. They will not resile from their efforts to ensure that they can protect the people of the ACT in the best way they can, and they will not resile from having in place a structure that allows them to do their job properly, effectively and safely.

They will ensure that they are heard by the minister, the commissioner and the bureaucrats, because they are volunteers and they put in thousands of hours during every fire season to protect us as a community. They are incredibly upset at the approach the minister has taken, and again last night, in line with this letter from the VBA. They are disgusted that so many issues have still not been resolved in terms of the restructure, bank accounts and equipment.

Last night, one example given was that volunteers who have completed training and who were to receive a certificate to validate that training have not received certificates for the last two years, and this is what the minister is presiding over. That is why the citizens' right of reply is important. That is why people are upset with Simon Corbell's management. They are doubly upset because he is a volunteer himself, and he walked out there on 15 March, hail fellow well met, in his overalls, to say, "It's okay, I'll fix it all." It has not been fixed. Indeed, when the brigades asked for a right of reply to be included in the *Hansard*, they did so because their minister chose not to represent them, and that is unfortunate. They are upset. The words at the Geyser's Creek AGM last night were very strong. The executive of my brigade will continue to stand up for volunteers. They will ensure that we are heard. They will ensure that the restructure actually delivers something for the volunteers and the people of the ACT to enhance safety, and they will continue to hold this minister accountable.

MS PORTER (Ginninderra) (11.12): I wish to speak in support of the recommendation of the committee. The committee deliberated over this matter for quite some considerable time and then sought additional information, as I noticed in the report. Under the resolution of the Assembly agreed on 4 May 1995, the committee can only do one of two things. It can recommend that no further action be taken by the Assembly or the committee in relation to the submission, or it can recommend that the response be published by the Assembly or incorporated in *Hansard*. After careful deliberation, the committee, as you know, was at a point of not agreeing to go forward. Having reached a point where we were not able to agree, it was negated. We therefore recommended that no further action be taken.

Mr Speaker, there were members of the committee who were of the opinion that there was not enough evidence to indicate that the person's reputation or the organisation's

reputation had been adversely affected. I believe that this is sensible. I think it is sensible that no further action be taken; it is the most appropriate course of action.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services) (11.13): Obviously, I am not privy to the deliberations of the committee in this regard and I really have no comment to offer in relation to the committee's decision: it is a matter for the committee. But it is clear that there is no agreement within the committee, and their recommendation is the most appropriate course in the circumstances that there is no agreement.

I want to put a couple of matters to rest. The first of these concerns any insinuation by those opposite that I misled this Assembly. Mr Smyth, rather cleverly in the John Howard sense of the word, tried to suggest that I had misled the Assembly, by reading from Mr Barling's correspondence. I do not resile from my comments. I believe that my comments made at the time were accurate. I am still of that view.

The volunteer brigades association took a particular course of action, and it was entirely within their prerogative to do so. They chose to take quite an overt form of political action; they are entitled to do that. But they chose also to enter into a very political dispute with the government. That becomes a matter of political debate; in a political debate, these matters become robust and people are entitled to assert their views. That was the environment we were in. It is a case of both parties having strong views. Well, that is the nature of political discussion. I do not resile from the comments I made. I believe that the comments I made at the time were accurate; I stand by those comments.

But in many respects I think this debate has progressed a bit from the point that Mr Smyth presents it being at. Clearly there continues to be a need for steps to be taken by all parties to build confidence and to build trust. Those are steps that I take very seriously. Since the resolution of the dispute, I have undertaken to meet every six weeks with representatives of the volunteer brigades association, the captains group and the fire controllers group from the RFS and the senior leadership group from the SES, along with the commissioner and the chief executive of my department, to discuss any issues of concern between the respective volunteer representatives, me and my senior management team.

That process is starting to bear some fruit. At those meetings we regularly discuss a very broad range of issues. The commissioner gives a detailed report on the implementation of the business plan for each of the volunteer services. Volunteers are welcome and encouraged to ask questions on any issues of concern—any points of clarification, any requests for further information. That is provided. Every six weeks I do that. I have done that twice so far. There is another meeting coming up in another two to three weeks. That is my commitment to maintaining a dialogue and building trust and confidence amongst all parties. I think that is the sensible way forward. I know that these meetings are welcomed by volunteer representatives.

Rebuilding relationships after what was quite a difficult dispute will always take time, but it is certainly getting there. I am very pleased with progress to date. The government always stands ready to have the discussion—to sit down and have the

dialogue and to share and provide information. We have been doing that quite comprehensively, particularly in the last couple of months.

I certainly stand by my comments that I always have my door open. Pat Barling or anyone else can get on the phone to me and I will agree to meet them as soon as possible. I have never refused a meeting, never declined an invitation. I am always available.

That is my approach; I think it is the right approach—a constructive approach, a mature approach and one that, unlike those opposite, seeks to see this not as some party political exercise but as an exercise designed to achieve the best outcomes for our emergency services, for the volunteers that work within them and for the safety of the community as a whole.

MR SPEAKER: I call Mr Pratt.

MR PRATT (Brindabella) (11.19): Thank you, Mr Speaker. Mr Speaker, I—

Ms MacDonald: Procedural motion, Mr Speaker.

MR PRATT: Mr Speaker, on a point of order—

Mr Smyth: Mr Pratt got the call. You will have to wait your turn.

MR SPEAKER: He has got the call, but—

MS MacDONALD (Brindabella) (11.19): I move:

That the question be now put.

MR SPEAKER: The question is that the question be put.

Mr Smyth: But you had already given Mr Pratt the call.

MR SPEAKER: She can interrupt debate with a closure motion.

Mr Pratt: Mr Speaker, three members of the government have stood up in train. I beat Ms MacDonald to her feet. Surely we could see this matter out first.

MR SPEAKER: The question is that the question be put. I have got a motion before the house that has been moved in accordance with the standing orders, and I have to put it.

Question put:

That the question be now put.

The Assembly voted—

Ayes 8

Noes 7

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

Question so resolved in the affirmative.

Original question resolved in the affirmative.

Mr Pratt: Mr Speaker, can I seek your advice on a particular matter. In the previous matter, when you gave me the nod to stand and speak, and before I opened my mouth, Ms MacDonald was able to “take a point of order”. How could she have done that if I had not opened my mouth and spoken? Could you please advise me where that sits in the standing orders?

MR SPEAKER: Ms MacDonald moved the closure motion, pursuant to standing order 61.

Mr Pratt: But, Mr Speaker, I recall—

MR SPEAKER: Standing order 61 states:

61. A Member may not interrupt another Member whilst speaking, unless:
- (a) to call attention to a point of order;
 - (b) to call attention to the want of a quorum; or
 - (c) to move a closure motion.

It is consistent with standing order 61.

Estimates 2007-2008—Select Committee Papers and statement by member

MR GENTLEMAN (Brindabella) (11.25): I seek leave to table some papers and make a statement regarding the Select Committee on Estimates 2007-2008 report.

Leave granted.

MR GENTLEMAN: I want to correct two errors in relation to the committee’s report into the Appropriation Bill 2007-2008. I present the following papers:

Estimates 2007-2008—report—Appropriation Bill 2007-2008—

Appendix A: hearing and witnesses (revised).

Copy of email to Committee Secretariat from Michele Norris, Company Secretary, Actew Corporation Ltd, dated 24 August 2007, including attachments.

The witness lists were incomplete and have now been corrected. In relation to that aspect of the estimates report, as former chair of the committee, I was advised on Friday, 24 August 2007, subsequent to the tabling of the estimates report, that there was a misrepresentation of data provided by Actew in relation to the cost of the 2006 water options review of the planning variables for water supply and demand assessment. The \$3.4 million referred to was in fact the cost of the future water options project, not the subsequent review. The issue was considered sufficiently significant for the response to be reproduced here for information.

Mr Stefaniak: I seek leave to make briefly comment on what Mr Gentleman said. I seek leave to make a statement.

MR SPEAKER: Mr Gentleman has made a statement as the former chair of a committee.

Mr Stefaniak: And I seek leave to make a brief statement as the former deputy chair.

Leave not granted.

Executive business—precedence

Ordered that executive business be called on.

Estimates 2007-2008—Select Committee Statement by member

MR STEFANIAK (Ginninderra—Leader of the Opposition): I again seek leave to make a brief statement.

Leave granted.

MR STEFANIAK: It is in relation to Mr Gentleman's tabling of those papers. I have an understanding that after a committee ceases it is the role of the Speaker to table those papers. I would like your comments on that, Mr Speaker. And I hope that, in future, whoever is at fault here rectifies any faults a bit earlier. I cannot recall this happening before. Whilst it is a technical point, my understanding is that, rather than Mr Gentleman, as chair of a committee, finalising the tabling, it should have come through to you. I seek a comment on that, Mr Speaker, in terms of this particular matter.

MR SPEAKER: Mr Gentleman, as the former chair, sought leave of the house to present these papers and was granted leave. I am at the command of the house—mere putty in your fingers. However, there is a paper that is coming to me, I understand, which I will table, and which was a result of a question. I think it was a response to a question in the committee. It will come to me and I will table it. But, just to clarify, Mr Gentleman was given leave to do that.

Appropriation Bill 2007-2008

[Cognate paper:

Estimates 2007-2008—Select Committee report—government response]

Detail stage

Schedule 1—Appropriations.

Proposed expenditure—Part 1.10—ACT Health, \$628,455,000 (net cost of outputs), \$36,319,000 (capital injection) and \$658,000 (payments on behalf of the territory), totalling \$665,432,000.

Debate resumed from 29 August 2007.

MR SMYTH (Brindabella) (11.30): When we adjourned last evening, I was making the point that if members go to page 122 of budget paper 3 they will see that we have got money in this budget for the forward design of projects like the adult mental health acute inpatient unit and high security mental health inpatient unit. These units were announced some time ago by Mr Corbell when he was the health minister before that portfolio was taken from him. In his press release at the time, he also spoke of a number of beds. He spoke of the number of beds for young people—a youth unit—and he said that these beds would be operational in 2008. As a consequence of this budget, that promise is broken. There is only money for forward design. There is no money to build these units—unless the minister can point to where that money is, and I suspect that she cannot.

The problem with this is that this is a litany of capital works in the health department that the Stanhope Labor government failed to deliver on time or on budget. We can go straight back to the step-down facility announced by Michael Moore as health minister in March 2001, funded in the last Humphries budget in May 2001. It opened only in February this year; it was opened by the minister. It is an excellent unit, but the problem is that it took six years. What we see here, on form, is announcements that were made some years ago now. All we have in this year's budget is the money for the forward design.

I think we all agree that since self-government successive governments of both persuasions have attempted to make the psychiatric services unit at the hospital work properly. A lot of money has been spent, by both governments of both parties, on refurbishments that have achieved some of their aims but, because of the basic nature of that building, have not been able to meet the total aim of providing the best quality service we can for those with mental health difficulties.

We all looked forward to the new facility but, like so many capital works projects with this government, it is impossible to track the progress of these capital works projects. The government—the Stanhope “more honest, more open, more accountable” government—fails to table capital works progress reports regularly, as did the previous Liberal governments and, indeed, a minority of the Stanhope government. I have no faith that we will see this project delivered by 2008. It is now physically impossible to build it by and have it open in 2008.

This is a process that we have to get right. The minister has a number of reports and consultations. I understand that opinions have changed since Mr Corbell was in office. Minister Gallagher, I understand, went back to the community and has received another report with different views from that which the government had previously received. It will be incredibly interesting to see what we will get from this unit at the end of the process. It simply highlights that, at a governmental level and departmental level, this government cannot deliver capital works on time and on budget to meet their promises. That is a shame.

We have an enormous budget here for health. It is about 20 per cent or 25 per cent higher than the national average. At \$665 million, we should have the best, most progressive, best equipped, best stocked, best staffed health system in the country. *(Second speaking period taken.)* I know that the staff do their best. At a meeting I went to last night, I was speaking to a nurse who had been working on the oncology ward. She said, "We just cannot keep staff." The system is so stressed by the reforms of this government and the staff have been working so much overtime that they are stressed and they are not coming back. She told me of a night when she was in the oncology ward or near the oncology ward and, she said, for a ward with 22 oncology patients there was a staff roster of seven and three nurses on duty.

You would think that in a ward as important as the oncology ward—all wards are important, but as important as the oncology ward—having three staff on duty is appalling. This nurse said that she has seen incidents where senior staff—she did not say whether they were nursing or actual management—were coming down to help make beds. This is a nurse at the front line of the Canberra Hospital, where the senior staff have to come and make beds because there are not enough staff.

How can that happen in a system that the Productivity Commission said was \$100 million over-funded—all of that extra money. No-one is saying to take the money out. What we are saying is: make the money work for the benefit of the patients and make the money work for the staff.

We have had three ministers in health. Mr Stanhope took it because it was easy to fix—\$6 million was going to fix it. Everybody knew that was pie in the sky, because of the approach that the government was taking. When we were in office, we had an independent hospital board. The board was scoring goals. It was kicking goals. The waiting lists were coming down. We were doing more with less. We had less bed block, less access block and fewer crises. We were achieving. The government's process—

Ms Gallagher: Fewer patients.

MR SMYTH: Fewer patients? No, no, no. The hospital at the time was running at some of the levels that you are talking about. It was running at 95, 96 and 97 per cent full.

Ms Gallagher: No, it was not.

MR SMYTH: It certainly was.

Ms Gallagher: Yes, with 150 fewer beds—fewer patients.

MR SMYTH: The minister comes back to beds. I am glad she comes back to beds, because she always puts her foot in it. She says, “We have got 150 more beds.” But what she does not tell members is what those beds are. When you close, minister, you might give us a breakdown of the beds—which are surgical, which are acute medical—

Ms Gallagher: I always do.

MR SMYTH: and which are not.

Members interjecting—

MR SPEAKER: Order!

MR SMYTH: Through you, Mr Speaker.

MR SPEAKER: Take no notice of the interjections. Cease interjecting, minister.

MR SMYTH: You are right, Mr Speaker; I should not be tempted. There she is—

MR SPEAKER: Direct your comments through me. This is going to be a long day and it is going to be a very disciplined one.

MR SMYTH: No, we enjoy budget debates, Mr Speaker. But it does get down to the beds, and that is what I have been saying. The recent AIHW report would indicate that we are probably 200 beds under the national average. But we have got a younger, fitter, healthier, more participatory community. We should have the best results in the country, and we do not. This is the problem.

In response to Mrs Burke’s question the other day, it was great to hear that Mr Barr said he wanted to work with the health system as the sport and rec minister. The best way—the most efficient hospital—would be the hospital where you can reduce the patients. But I do not see in any strategies—and I have no confidence in the indicators that the minister presents—that they know how to keep people out of the hospital. We now know that one in four of our year 6 students are obese—one in four.

Ms Gallagher: We are number one in the country.

MR SPEAKER: Order!

MR SMYTH: One in four, Mr Speaker. And we know from various medical professions that obesity in the early ages leads to—

Members interjecting—

MR SPEAKER: Order! Mr Smyth, resume your seat. Members, I am not going to tolerate any interjections today. I want to see it cease. We want to get on with the show. I call Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. We know that if children are obese, as adults they have an enormously increased chance of cancer. Cancer treatments are costly and very time consuming; we need to reduce that. The way to start is to make sure that we have got the best preventative health plan in the country, and we do not. There is no commitment to preventative health. Health packs have been drawn back, through last year's reforms, into the department.

What we have not got from the minister—and, through the minister, the government—is the right attitude. The answers are always management solutions. They have got to be service solutions. We have got to give the troops in the front line the sense of attitude—the nurses and doctors in particular, but also the physios, the OTs and all those other staff such as allied health workers and, to back them up, the cleaners, the cooks and the admin staff. The attitude is defensive. The attitude is cagey. The attitude is ad hoc. That is because of the arrangements that the government has put in. Nothing I have seen or heard from successive ministers and their myriad plans says that they understand this dilemma.

We have to start, through Mr Barr and the schools, in sport and recreation. But there has to be a link with health. And then we have to have the services for those that need them. It is not enough for the minister to say, “But we have been busy.” Hospitals are busy places. You only go to them normally in an emergency. You do not plan to go to a hospital, unless it is a pregnancy. In the main, hospitals are on emergency footings.

Members interjecting—

MR SPEAKER: Order! Mr Smyth has the call.

MR SMYTH: We know, because over the years we have seen it, that the need for hospitals will increase. We know that the aged population of the ACT is well below the national average. We know that it is ageing rapidly. The over 65s, 75s and 85s will double, triple and quadruple over the next decade or 15 years. We know that we need to get it right now, but we are not. We have an ad hoc arrangement from an ad hoc government that has no idea how to run health.

Let us look at the indicators that are here. Again, I go back to strategic indicator No 3, reaching the optimum occupancy rate for acute, adult, overnight hospital beds. At the heart of any hospital is the ability to have a bed. Nothing can be done either in the ER or the hospital without a bed. Having those beds—properly equipped, with adequate supplies nearby to ensure that procedures can be carried out in the wards as required; appropriately staffed by well-trained, well-motivated, well-rested staff who are not overworked, overtired and suffering low morale—is the secret.

The government has to go and talk to the nurses. Again I refer the minister to the ImpactED nurse website. They were looking for answers; they were looking to be part of the solution. They have much to offer; they feel ignored. When you get to the stage where, as a nurse said to me, executives—the senior staff—are coming down to help make beds, then you have a problem in your hospital system. If you ignore it, we all suffer as a community. We all know someone who will go to the hospital in the next year; we all have a loved one, a friend or a work colleague who will need the system. If we ignore it, we are putting them at great risk.

You are opening yourself up to enormous medical liabilities, but we are not making sure that we are keeping the population of the ACT fit and healthy as long as we can and out of the system. We do not have appropriate chronic illness management systems. I do not believe that we are engaging well enough with the GP system. The GPs and the pharmacy system are the first port of call. They are there; they are willing to help. They feel left out of the system. What we do not have is the motivation to make it work.

The only answer we ever get from the government on this is, “We put lots of money in the system.” The money is welcome—even though the government is now reducing the rate of growth of the money, and it will be interesting to see how they cope with that. I think everybody would always say that extra money in the health system is welcome as long as it is achieving a result. The constant attack—particularly on me, and I look forward to the minister possibly repeating it again today—is, “We’ve put more money than you did into mental health.” If you have put more money into mental health, where are the results? The results are not on the ground. Money is not the answer; it is about getting the systems right and making sure that the approach is right. That is the failing in this government. It has failed in the last five or six budgets; it fails in this one.

MRS BURKE (Molonglo) (11.43): Mr Speaker, I will take my second allocation of time. Following on from Mr Smyth’s comments, I want to speak very briefly. I want to provide the health minister with some more information to help her—by way of some direct quotes from nurses and family members. The first is:

It’s about time people were made aware of how far behind the rest of Australia and the world our Canberra Hospital really is.

Remember that this is public perception. It is not me; this is a quote from somebody. Again I quote:

My wife is a—

and I have deleted the department—

nurse at the Canberra Hospital. I have listened to her stories for many years of staff frustrations with poor hospital management, of the chronic shortage of nursing staff and indeed high level skills and of the general “public service” malaise that seems to be rife through senior management levels in the hospital.

Mr Smyth rightly says—and the ANF have said it as well—that there are senior people, trained people, ready and willing to come back—but not willing and able to come back into a system such as we find ourselves in today.

Another quote:

She and other staff complain bitterly that media beat-ups over “bed shortages” are nothing more than a smokescreen for an acute lack of staff for the manning of wards and operating theatres.”

Another quote:

There is a story of mismanagement at Canberra Hospital that is not being told.

And another:

There are issues around the ratio of emergency theatre cases versus elective surgery cases and there are real skills issues related to University Nursing Graduates—

Mr Hargreaves: Where's any of the proof?

MRS BURKE: The quote continues:

and their non-suitability for “hands-on” work in the wards and theatre—many of the skilled practitioners at the hospital believe Labor's scheme to educate nurses at a tertiary level has failed the system, in terms of real, practical medical skills ...

Ms Gallagher: For 20 years they've been doing it.

MRS BURKE: I can hear the interjections opposite. The members opposite must realise that this is not me saying this; I am simply passing this information on so that the minister can target some of the things in order to help and assist. She can take this whichever way she wants to, but I am trying to be as forthcoming as possible. I quote again:

... there are funding issues that apparently determine management decisions regarding the case mix in theatres. That is, the wrong incentives are driving poor decisions that affect patient outcomes.

Another quote:

We want to see a better Canberra Hospital that makes everyone proud—the staff, the patients and Canberrans generally.

Again, I refute any suggestion whatsoever from anybody, either in this place or outside this place, that I am doing nothing more than standing up for nursing staff and allied health professionals across the system. It is disingenuous in the extreme to suggest that I am doing anything other than fighting and standing for people who are doing it very tough in our system—and furthermore, doing it tough in that they cannot even get back into the system and work in a system that they dearly love.

Another quote:

Wouldn't it be good if Canberra was No. 1 on the list of national hospitals—

in all areas—

instead of last!

Perhaps the minister would like to further investigate these allegations, and not shoot the messenger. It is about time they pulled down the shield, the veil—whatever is there or whatever is in their ears stopping them from hearing what people are trying to say in an effort to improve our public health system.

They want to do it their way or no way; they will do it at a very high cost. We will continue to see staffing shortages; we will continue to pump in around eight, 10 or 12 per cent more money every year, with less and less service delivery, less and less result. The minister needs to listen; she needs to listen carefully to the people and stop shouting me down in this place—and others who have spoken out.

As I have said, these are direct quotes from nurses and family members who have called, emailed and so forth. If the government wants to take these on board, they have the information; it is up to them what they do with it. As the minister and the Chief Minister have said, we cannot continue to pour money into a system, because it is going down the drain. Much of it is being wasted and squandered. It is not having the impact that Canberrans deserve, and that is a high level of service delivery across the health system.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (11.47): I rise to talk about this very important budget line in health and respond to some of the comments made by those opposite. This budget is a very good one for health. It manages increased activity and growing demand with a growth in resources and in budget injections, but not in line with some of the injections that we have seen in the past. So this year sees about a 5.1 per cent increase to health's overall budget. That is in line with the government's strategy to reduce costs within the health system to within 10 per cent of the national average which was announced last year. I am pleased to say that within a year we have moved our costs from 24 per cent above benchmark down to about 14 per cent. There is a bit more work to be done in that area, but the costs are coming down.

We are going to meet growing demand this year by injecting \$10.5 million dollars into 20 additional beds. We are going to increase our critical care bed capacity. Further money is in the budget for aged care and community health services. We will provide 300 more elective surgery procedures above those delivered in the past financial year. We will inject some more money into cancer services to keep on top of the growth that we have seen there and also to provide support for the third linear accelerator. We will keep the access improvement program going to improve the emergency and elective patient management processes in 2007-08 which are already delivering the results that we have wanted to see.

More money is going into dental services to target the long waits on the dental waiting list. In mental health there is an additional \$3 million to support the older persons mental health inpatient unit, which is operating over at Calvary, and some of that money will be used for emergency department nurses who specialise in mental health. There is \$1.2 million for a 24-hour step-up, step-down facility, which has been long sought after, particularly by the community sector. There will be further money for enhancement of the psychiatric services unit in the short term. There is money for retraining and improving the skills of mental health workers.

We are also doubling our investment in the mental health community coalition to work with the community in providing services for people with mental illness. That is really important in the sense that government services are there to support people when they are having particular episodes of mental illness, but recovery from mental illness occurs in the community, so it is important that we have a very strong community health sector.

The budget also provides for design of three key capital projects. One is the adult mental health inpatient facility and also high-security mental health inpatient facility. I have heard the comments from those opposite. We have not provided the funding in the outyears primarily so that we can refine the costs over this year for when we design and plan those big projects, and also continue our consultations with the community. It is fair to say there is an agreement on the model that should be in place for residential psychiatric services at the hospital. There is a very strong community view about the number of beds that should be provided, and we are having to balance that with the view of government about providing beds for the future. Primarily, that is why this budget sees it funded to the forward design stage and does not fund it in the outyears. But that is not to say that the government would spend almost \$3.5 million and then not fund it as a future facility. We just have to get prices right and the design right.

There is also money for extending our neo-natal intensive care unit. We are a regional provider of neo-natal services, intensive care services. We need to grow the unit. Anyone who has visited the unit will see that there needs to be some massive improvements to that to look after our most vulnerable babies and their families. Of course, this budget has money for a multistorey car park. The multistorey car park will need to be built first. This is interlinked with the inpatient facilities in the psychiatric precinct, because the psychiatric precinct will have to be built where current surface car parks are. We cannot take the car parks out and not have them replaced to build the inpatient facilities unless we fix the car parking. So that has been funded in this project.

As I said, I heard those opposite say that there is no money for chronic disease or any health promotions. There is a significant amount of money for the human papilloma vaccination program for the ACT-commonwealth—mainly commonwealth funded. There is half a million dollars integrated prevention for chronic disease. Shortly, I will be going out with the chronic disease strategy, which we have been working very closely on with GPs to get really best practice working here. In the non-government sector, there is indexation to 3.75 per cent. Money is going out to the community sector for the 24-hour mental health step-up, step-down facility. As I said, there is money for the Mental Health Community Coalition. There is nine per cent growth in home and community care, and money there for expanded youth health services, growing to half a million dollars in 2008-09.

This budget will improve our elective surgery removals from waiting lists. Our target will be 9,620, which is almost 2,000 more operations than were being delivered in 2002. The evidence just does not back up that the money we are spending is producing less. People need to be encouraged to read the reports and see that the money being invested is producing much more, and more than we expected.

Removals from the elective surgery waiting lists have gone from just over 7,000 in 2001-02 to heading towards 10,000 in 2007-08. There has been an increase every single year being paid for by the investment in this government.

Mr Mulcahy: Varicose veins operations moving through.

MS GALLAGHER: It is not varicose veins operations, Mr Mulcahy. I know you do not like it. It does not suit the arguments that you have been running that you get more for less. If we could just have a moment of rational thought in this debate—I know it is going to be a pretty ratty day—but in terms of more for less, here we have a total budget in 2000-01 of \$443,533,000 with inpatient activity of 56,645; in 2006-07, it was \$762 million and cost weighted inpatient separations at 72,000, so it is a 27 per cent increase. Acute care beds in 2000-01 were 684 and acute beds in 2006-07 were 739. Rate of unplanned hospital readmissions—that is, keeping people out of hospital—in 2000-01 was 3.4 per cent. In 2006-07, it is two per cent at TCH and at Calvary it is one per cent. I know you do not like it.

Mrs Burke: It is a spin on words, I say.

MS GALLAGHER: I am not spinning words. If I could just use figures from the budget papers of the Humphries government, they are from national health data, which is used for publication in the hospitals report and in the Australian Institute of Health and Welfare. It is reproduced in the Australian Institute of Health and Welfare hospital stats 2005-06, on page 71. Some of the figures are based upon the Australian College of Emergency Medicine. So I am not twisting figures; they are there. They do not support your argument, but there you go.

In terms of what the hospital is producing in activity for the past financial year, we delivered four per cent above the target for cost-weighted inpatient separation, which is a seven per cent increase on activity over the previous year. Emergency presentations were just under 100,000. Access block for the ACT has been reducing. In June 2007 it was 27.5 per cent, 10 per cent below that of the year before, and total access block for the hospitals was 28.6 per cent compared with 33 per cent in 2005-06 and 41 per cent in 2004-05. Again, it does not support the arguments that have been run over there. We have talked about elective surgery procedures. (*Second speaking period taken.*)

The number of radiation therapy patients was 11.5 per cent above the total of the previous year, with a 25 per cent increase in urgent and semi-urgent patients; 100 per cent of all radiation therapy urgent patients received care within the standard time frame and 76 per cent of all radiation therapy patients received their care on time in 2006-07. This is one per cent below the target reported in 2006-07. Ambulance off-stretcher time exceeded the target of 90 per cent, which is the transfer of care of a patient from the ambulance to the hospital emergency department in less than 20 minutes, with a total of 93 per cent, which is an improvement from 89 per cent.

Our immunisation rates continue to exceed the national benchmark of 90 per cent. The rate for 2006-07 was 91 per cent. The old persons unit is up and running and will continue to grow as demand increases. The medical assessment and planning unit is open. Sixteen of our additional 20 beds that were funded in the previous budget are

provided through the medical assessment and planning unit, which those opposite voted against last year when they opposed the budget.

Mrs Burke: That is spinning.

MS GALLAGHER: You did; you voted against the budget. BreastScreen ACT provided just under 12,000 screens in 2006-07, up four per cent. There has been a six per cent increase in the number of women screened in the target group. Waiting times for assignment of clients to community health and mental health teams remain well below the target of four days. The dental service continues to deliver emergency dental health care to all clients within standard time frames.

The alcohol and drug program created new client pathways with the Winnunga Nimmityjah Aboriginal Health Service for indigenous opioid treatment clients and is now reviewing and modifying the pathways to respond to specific client circumstances. The child youth and women's program commenced health assessments for children in out-of-home care. The chronic and complex care coordinator, which was established last year to provide nursing and allied health clinicians and managers with specialist advice, has developed well proactively to manage clinical risks on behalf of this client group and there is more money in this year's budget to deal with that.

A range of work was done around tobacco control: sales to minors and the smoke-free campaign. Food safety programs commenced. The Go for 2&5 campaign keeps going. I could keep going. It is also important to say, with all the talking down that is done of the health system, those opposite can complain about the health system and then say they are not complaining about the health system—

Mrs Burke: We are not complaining about the people in it.

MR SPEAKER: Order!

MS GALLAGHER: But the hospital is run by managers who are, more normally than not, health professionals who work in the system. You cannot separate the two. You cannot say that we have a Third-World health system here—

Mrs Burke: I did not say that.

MS GALLAGHER: You have said that—and then take a step away from that and say, “But I'm not complaining about anyone who works in the system.” The measure of outcomes is delivered by people who work in the system. So you cannot have it both ways. You cannot say that it is my fault someone has a delay of one day in their treatment without having an impact on the health professionals working in the hospital system. You just cannot do it.

All our data here—and this is what I am trying to get through to those opposite, but they do not care about data—shows that people have very high confidence in our health system. That is not to say that in providing 72,000 inpatient separations or 100,000 presentations to the emergency department you are not going to have people who had a bad experience, who waited too long for treatment, who had complaints.

You are not going to have a system that does not deliver that because of the amount of activity that is being delivered in the circumstances that it is delivered in.

Yes, there is an issue around emergency and elective surgery, but what are we to do? Do we say, "Sorry, we're going to hold this emergency patient because we've promised elective surgery"? It is a problem. It is a problem of us being a regional provider to broader south-east New South Wales in the sense that 50 per cent of the surgery every single day at the Canberra Hospital is emergency surgery. We have 10 operating theatres. Five of them are going to be pulled out for emergency surgery every single day, and you cannot say that you can deliver everything to all within that framework. You just cannot. It is the nature of the hospital that we run at TCH.

But when you look at all the indicators, our public patient admission per thousand is higher than the national average. Our utilisation of public hospitals is higher than the national average. People choose to have their elective surgery performed in the public system. All the data shows that. There is choice available. We run a very diverse health system. There are three private hospitals, two public hospitals, yet we have the highest rate of public usage for elective surgery anywhere in the country.

People do not use their private health insurance; they are prepared to wait on the waiting list. We have the highest private health insurance in the country, and the lowest utilisation of it. The only thing you can take out of that is that when people want their surgery, they come to the public system. There is no other way of arguing around that. That is all published data. Again, it is not my twisting figures for my own benefit. We would love some of them to go to the private system. It would ease up some of the pressure on the public system. But the facts are: highest private health cover, lowest utilisation of it. They come to the public system, and that is public confidence in the system.

Mrs Burke: It is offset by Medicare, of course.

MS GALLAGHER: That is not a Third-World hospital system, which is what Mrs Burke thinks it is. All of our quality outcomes are the best in the country.

Mrs Burke: You like that, do you not?

MR SPEAKER: Order, Mrs Burke.

Ms GALLAGHER: If Mrs Burke had not said it on radio about the Third-World hospital system—

Mrs Burke: Really touched a nerve.

MS GALLAGHER: It did. It not only touched my nerve—because it is wrong, because I have visited Third-World hospitals—it also touched quite a number of people's nerves. You cannot think that you are the only one that people talk to about the hospital system.

Mrs Burke: I don't at all. They talk to you and you haven't listened.

MR SPEAKER: Order, Mrs Burke!

MS GALLAGHER: There was quite a lot of anger around your comment that the ACT has a Third-World hospital system, including those that run Calvary public hospital. I do not know the last time Mrs Burke visited the hospital, but I am out at the hospital on a weekly basis talking to staff and visiting different parts of the hospital. I am not aware that she has been out there once.

In emergency surgery, we have delivered seven per cent more than we had in the previous year. Our elective surgery we have talked about. Our emergency department is busy. Our staffing over the past two months has been a very difficult issue. Calvary health care will tell you on any morning they are dealing with 20 people ringing in saying they are sick and are unable to work, and then they have to backfill those positions. These things are managed on a daily basis, but in a one-month period there were 5,500 hours of personal leave being taken that were having to be replaced. That was 1,000 personal leave hours more than the previous year. We will look at those high levels of sick leave. To my understanding, it is largely put down to school holidays, children being sick and nurses being sick. We will have a look at the high utilisation of personal leave.

This budget delivers on key areas in health. It is about keeping people out of hospital, better management of them but balancing that with more beds and targeted services into particular areas of pressure. I know no-one opposite can really talk about anything other than bad experiences and elective surgery and the emergency department, but a lot in this budget will be very good for the people of Canberra, including those vulnerable women and children to whom we are going to provide much better ante-natal and post-natal care services.

I thank members for their contributions. I hope that they have listened to some of the facts and not some of the clichés that have been offered today and provide some rational fodder for future discussions on health.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.11—Department of Territory and Municipal Services, \$266,922,000 (net cost of outputs), \$147,451,000 (capital injection) and \$964,000 (payments on behalf of the territory), totalling \$415,337,000.

MR MULCAHY (Molonglo) (12.08): Obviously, the combined outlays here of some \$415 million represent a significant part of the ACT budget. I have a few comments in relation to territory and municipal services, and my colleague Mr Pratt will speak in more detail on some of these key areas. In estimates committee hearings on 26 June, members of the opposition attempted to obtain some information on how this department is running and to scrutinise the information that was published in the budget papers. Unfortunately, this attempt for greater transparency in this area was largely unsuccessful. There are many outstanding questions from both estimates committee hearings and questions on notice from this process that really lack any substantial answer. Instead, the minister has obscured those areas that he does not wish to talk about. I will certainly give some examples for the benefit of the Assembly.

The matter of a fatal traffic accident at Tharwa was raised at estimates committee on 26 June. The issue of road signage was raised, and there was some question over whether additional signage had been needed in this area for some time. Unfortunately, we did not get to hear much of an answer to this question, because the issue degenerated into a rather nasty affair. Now, I do not intend to get into all of this; it has been canvassed to some extent in recent days since it has already been raised in the context of a motion to the privileges committee. I can only go on what I have read in the transcript; I was not present at that particular hearing.

Nonetheless, it is certainly a shame that the committee was unable to hear a substantial answer on this line of questioning, as road signage is clearly an important issue, especially where there has been a consequential fatality. It is not clear whether the lack of signage was the cause of the accident, as the accident was still being investigated by the police. Nonetheless, this is the kind of issue that people, and certainly the members of the Assembly, believe deserves the full attention of the committee and the minister. As it did not get this attention, the people of the ACT were unable to hear what exactly is being done and whether anything needs to be done sooner. The people of the ACT were not privy to the actions and thoughts of the minister on this issue, and that is a shame and a disappointment.

Another issue that I have addressed in other contexts has been the absence of transparency in the estimates process over the failure to answer questions on the Albert Hall. The government seems to be very closed about the whole process of its dealings with the Albert Hall. As I highlighted when discussing the executive generally, the minister was asked some 20 questions on notice about the state of the hall and its future in the estimates committee process—not an unreasonable thing to expect. But it still took a month to get a response to these questions with answers to only four of those.

It has been claimed that the unanswered questions concern matters still under consideration, material which is commercial-in-confidence or matters that should be taken up with other bodies. As I stated when discussing the line item for the executive, this is clearly not the case. I do not accept the view that all this is commercial-in-confidence when it comes to such basic issues as previous community use and the availability of records of past use. I think it was unreasonable to not clarify the issue of augmenting funding, and I do not accept the defence that was provided—“Oh well, it’s not up to one minister to explain what the Chief Minister had in mind”—given that the minister concerned does have responsibility. In defence of Mr Hargreaves, I suspect that he may well have been operating at the behest of his Chief Minister, who has control over heritage, but, whoever is to blame, it is unacceptable that the public is not able to see answers to these simple and reasonable questions.

There are other areas too where answers were lacking. In answer to a question on notice from Mr Pratt, who asked what funds have been allocated to future clean energy mass transport options, the minister simply stated that Mr Pratt had failed to define clean energy and then gave a vague answer, saying that ACTION uses a mix of energy sources. Okay, let us spell out what the energy sources are, which are the cleaner ones and how much funding they get. Although Mr Pratt did not specifically define clean energy for the minister, I would have still thought the minister could have explained his understanding of those terms.

Again, it is a case of hairsplitting and quibbling over definitions to avoid providing substantial answers to what in this case was a reasonable line of questioning. There was ample scope in the question for the minister to explain his understanding of what is considered by the territory government to be clean or cleaner energy options and explain the funding breakdown for the different energy types, as this was the clear intent of the question.

In relation to ACTION buses, the minister was asked in estimates committee hearings on 26 June a simple question about a relocation of the ACTION call centre staff. Again, we saw a rather bizarre step of refusing to answer the question at the hearing and, instead, taking it on notice, despite having an army of departmental officials readily on hand to assist in answering the question. There was no consultation with departmental officials and there was not even a denial that the information might have already been available. Even in those answers where information was forthcoming, a range of serious issues have been raised about government performance.

The minister was very confident in estimates committee of the security arrangements at bus interchanges. He explained that security cameras are installed inside ACTION buses to attempt to deter offenders and provide evidence of offences when these occur. What the minister did not mention, and we have had some discussion in this last week, is that Woden bus interchange—where Mr Pratt has been vigorous in his pursuit and where I also took up the matter publicly on behalf of constituents—which has been the scene of some violent incidents this year, had been passed over for the immediate installation of security cameras.

The supreme confidence of the minister stood in contrast to the remarks of the Attorney-General on this issue, who conceded in estimates committee hearings on 19 June that the CCT coverage at the interchange itself, not in the buses but in the interchange, was not optimal. The Attorney-General has stated that the government is still considering how to improve this situation and we sincerely hope that it will receive the attention that it deserves. I am confident my colleague will not relent in his campaign until that area is a safe locality.

Mr Pratt and I have inspected the area. We have talked to people in the vicinity. We both continue to receive expressions of concern from parents and younger people and it is a condemnation of this government that this issue has been left to remain at this state of unsatisfactory security for such a large period. I believe shortly after I was elected, I expressed concern about the Woden interchange, and it is staggering that some three years later we are still talking about fixing up a problem that everybody who lives in the Woden vicinity knows is a significant issue, including some of the retailers in that area.

Much is said also, Mr Speaker, about the taxi industry. We seem to have no ability in this territory to solve the problems that exist. The government does not seem to be willing to consult at a level that is appropriate or reasonable with the taxi industry.

Mr Hargreaves: That is rubbish.

MR MULCAHY: I know the minister refutes that allegation but it is certainly the perception that is there, and the consequence is that the people of Canberra are

frustrated with some of the serious issues that have afflicted them in the provision of taxi services. There has certainly been an impression created—and I know it is going to be denied and refuted by the minister—that the level of consultation with the lead taxi company has not occurred at an appropriate level and that they have been frozen out on occasions of the government decision making. In answer to a question on notice, the minister stated: “Before there is any consideration for the release of further taxi licences in 2007-08, the government will need to assess the impact the additional licences released in 2006-07 has had on the industry by analysing at least six months of waiting time data from both Cab Express and Aerial.” There is a serious issue with the taxi industry and it seems that this situation is not being assisted by what appears to be an adversarial relationship with key players like Aerial.

I note that it is the government that will make the assessment of the impact of additional licences. Receiving data from the two taxi companies is not enough. It should be actively consulting with the industry, and simply creating more licences when the government feels like it may not be the answer. We seem to have this conflict on the one hand of saying, “It is not our problem; let them set up companies that they want to,” and on the other hand we want to control them and impact significantly on the industry’s economic viability because of the way in which licences are dished out. The end effect is that the situation is less than ideal in the ACT. It has been for quite a long time and solutions are needed that will solve many of the issues that are plaguing taxi users in the ACT.

Public transport is not adequately filling the void. (*Second speaking period taken.*) For example, in Civic the nightrider service is not all year round, as I understand it. That means there is enormous pressure on taxi services, and issues of safety then arise in Civic. A daily area of complaint is about problems that beset passengers coming in and out of Canberra airport. I tuned in last week to a morning ABC program. A frustrated interstate businessman called and said he was down there and there were 300 people waiting in line for taxis. I understand this is a tricky area. On the one hand it would flood the market with taxis running whenever they feel like it and you would end up making it unviable. But, on the other hand, these acute shortages at different times are not being tackled. It is the role of government to try to deal with problems that are not capable of being sorted out in the community and advance sensible solutions and consultation with the major stakeholders.

In relation to one of the major stakeholders, I have had several meetings with the Council on the Ageing (ACT) in relation to that opposition portfolio responsibility. It has reiterated that taxis are a vital service for elderly people who require transportation between nearby suburban areas that do not always fall on a single bus route. If the arrangements for taxis in the ACT are not performing at optimal levels, many of our seniors in Canberra are significantly disadvantaged.

Just turning to a couple of other areas that relate to this portfolio, matters dealt with by the Department of Territory and Municipal Services arise commonly in letters and phone calls from constituents. Without any doubt it is probably one of the areas where most MLAs receive the most contact from their constituents. I certainly can say in relation to my own office, as I have put out in statistics, it was something in the order of about 550 complaints in 1,400 or thereabouts that I have received over the past year

and a bit related to matters that are handled by the Department of Territory and Municipal Services.

As a member for Molonglo, I receive many complaints from Molonglo residents about infrastructure problems such as cracked footpaths, broken streetlights and other faulty or worn-down amenities. That is a particular issue in those areas where there are older residents, and particularly it is an issue in established areas. I have heard the Chief Minister, when we were talking about water, being somewhat derisive of people in Red Hill and Forrest. The fact is that there are a number of older people there. It is hard to see your way around there at night because of shrubbery and the like.

Mr Hargreaves: Because the Knights of Ni jump out.

MR MULCAHY: There have been a lot of complaints about the footpaths over there. The minister thinks it is a humorous issue. But when an older person is trying to make their way down to Manuka and they fall and break a hip and they have got to deal with Ms Gallagher's elective surgery waiting times to get a hip replacement, it is not so funny for those people.

I have been on that issue since I got elected and I will persist with that issue until we get it at a standard where the complaints drop. The fact is that more than one in three of every complaint I receive relates to these matters of urban infrastructure. I acknowledge that the minister promptly responds and tries to fix them, but I suspect one of the problems is that he has got so much money to play with and that is what they will give him, and what he cannot do he cannot do. My concern is that if we can spend a million bucks on a piece of art on Northbourne Avenue, I would be a lot more impressed by the \$1 million going to some of these older areas, fixing up our electorate and satisfying the concerns of constituents. One thing people say is that we cannot even run a municipality properly, so why do we get into all this other peripheral stuff in the ACT and try to solve the problems of the Western world?

In dealing with these problems it is important for the government to bear in mind that some areas of Canberra are not as new as others. That is why I emphasise the importance of the inner areas and the older suburbs where things have started to decay. I know some work has been undertaken up Turner and some other inner northern suburbs, but I appeal to the minister to try to give greater priority to these areas on the south side where I still receive a number of complaints.

It is also worthy of mention that because of the pattern of property values in Canberra these same residents of the inner suburbs in the south bear the larger share of the tax burden through higher rates and charges. I would like to ensure that these people are also getting some value for their tax dollars. I do not say for a moment that they are getting anywhere near the value for money under this government through all its range of taxes, but the department needs to be aware of these particular circumstances and particularly the infrastructure in older suburbs.

I will finish off on a couple of other key areas. Library closures was a major issue this year, and the level of distress amongst people in the Griffith area and Narrabundah over the decision to close that library was one of the most vigorously pursued issues that I have seen since I have been in this place and it was clearly not reflective of the

wishes of a community that had needs and demands. The Chief Minister constantly crows on radio about the fact that the people of Canberra want all these services, that they cost 22 per cent more than they do elsewhere, and then whacks up the taxes. But at the same time he takes out some of those services that people apparently expect and are costing quite a deal. You cannot have it both ways. If you are going to say that we need to tax you more to pay for all these costly services, you cannot in the same breath start ripping those services away from the community. What is happening here is still having the high tax level, which was the foundation of last year's budget, and we see tightening and tightening of these services.

ACTION has been another area of great angst. Clearly it has not fixed the problems, and is not even close to fixing the problems. I was in the Gungahlin area a couple of weeks ago and I have talked to a number of residents there. I have called on homes through Amaroo in the past couple of weeks, and the constant complaints are about bus services, and I hear it from other parts of Canberra. I find it intriguing that we just cannot get it right. I heard ACTION people on radio just a few weeks ago saying they are out doing a survey and asking people for their opinions and so forth. It sounded a bit like a self-selecting survey, which worries me about how good it will be statistically, but anything to find opinions from the public will probably send the message very clearly that the service is not meeting the expectations of customers.

So, clearly, in the area of ACTION there is scope for improved performance. We need to get it right. You cannot just unilaterally try to price people off the road by making car parking impossible, without ensuring that you have a slick, state-of-the-art bus service. I hear from different sections of the bus industry that this is not one of the great examples in Australia of a metropolitan transportation service. I do not have any direct data, but that is the assessment relative to other cities. I know Mr Gentleman's strong allegiance there, because it is 90 per cent unionised so it must be a good place, but the fact is I am more interested in ensuring that the people who are funding this loss-making service, the taxpayers, are at least getting a service of high quality that meets the need of our community.

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 12.27 to 2.30 pm.

Questions without notice

Cabinet—submissions

MR STEFANIAK: My question is to the Chief Minister. Chief Minister, cabinet is responsible for making a wide range of decisions on government policy, budget issues and the general administration of government. Your cabinet handbook states:

Cabinet Submissions must canvas all relevant information and be of the highest possible standard to assist Cabinet in making considered and informed decisions.

What responsibility do cabinet ministers have to ensure that all cabinet documents that they present canvass all relevant information and are of the highest possible standard?

MR STANHOPE: I thank the Leader of the Opposition for the question. The government and the cabinet would expect that cabinet documents, as required and presented, would contain all relevant information and would be of the highest standard.

MR STEFANIAK: I am glad to hear it. My supplementary is: Chief Minister, what responsibility do you have as the chair of the cabinet to ensure that all documents considered by cabinet canvass all relevant information and are of the highest possible standard?

MR STANHOPE: Of course I do—

Mr Corbell: Tricky question.

MR STANHOPE: That is right; it is a very tricky question. One can imagine the hard-hitting follow-up questions that this very tricky opening question will produce from the steel-trap minds of Mr Stefaniak's colleagues. But of course, as with everything, as with every issue and as with all documents that are produced for the government, we have high expectations and high standards which we seek always to achieve.

To the extent that we do or do not achieve those standards, whether it be in the preparation of cabinet documentation, governmental reports, capital works statements, annual reports or the budget documentation, the extent to which we do or do not meet the standards that we would aspire to is of course a very subjective matter and will vary as between a particular observer or commentator and the particular perspective and bias which a particular observer or commentator comes from.

The perception that I have about the quality of a particular document and its appropriateness for purpose will, of course, vary markedly from the perception and the opinion of, let us say for instance, the Leader of the Opposition within the territory.

Emergency services—FireLink

MR PRATT: My question is to the Minister for Police and Emergency Services.

Mr Stanhope: Here's the trick question, Mr Corbell—a steel-trap mind.

MR SPEAKER: Order!

MR PRATT: Just sit back quietly, Jonny.

MR SPEAKER: Order! Refer to members by their proper titles.

Mr Corbell: Pratty punch.

Mr Stanhope: Yes, the one-two; that's right.

MR SPEAKER: Chief Minister, cease interjecting.

Mr Stanhope: Watch out for the uppercut—the left jab—

MR SPEAKER: Chief Minister, cease interjecting, please.

MR PRATT: Take your Mogadon and sit back quietly, thank you, Chief Minister.

MR SPEAKER: Order!

MR PRATT: My question is to the Minister for Police and Emergency Services.

Mr Stanhope: Have you been questioned by the police yet over your alleged criminal activity?

MR SPEAKER: Order! Chief Minister, cease interjecting.

MR PRATT: Did that scrape you to the bone, Chief Minister? You have a glass jaw, mate.

My question is to the Minister for Police and Emergency Services. Yesterday in question time you said, in answering a question about the FireLink project:

The Emergency Services Authority advised cabinet that a global amount was required for upgrade of communications systems.

The report on FireLink from the Auditor-General clearly establishes that cabinet approved global funding for the upgrade of the communications system in May 2003.

Mr Stanhope: Following seven years of Liberal neglect.

MR SPEAKER: Order! Chief Minister, I have asked you to stop interjecting.

MR PRATT: The Emergency Services Authority was not established until 1 July 2004—that is 10 months later—so you cannot blame it. The former commissioner of the authority was not appointed until 17 November 2003—six months after the global approval—so you cannot blame him either. Minister, on what basis can you assert that the Emergency Services Authority advised cabinet about this spending proposal when it did not even exist?

MR CORBELL: I am happy to stand corrected on the technicalities, if Mr Pratt is insistent on that. The reality remains unchanged. Following 2003, the government had already made clear its intention to establish an independent authority, and any suggestion that the ESB continued to be subservient to the wishes of the Department of Justice and Community Safety simply belies the facts. Imagine the criticism this government would have come under from those opposite if we had insisted that the ESB in its process of transition to the authority required itself to be subject to the views of the Department of Justice and Community Safety. The practical reality—and all those who were in this place at that time know it—is that the ESB was already de

facto a separate government entity, and the passage of the Emergency Act only confirmed and put into formal effect that de facto status.

MR SPEAKER: A supplementary question?

MR PRATT: Minister, why do you continue to blame someone else for the decision that you and your cabinet colleagues made in May 2003? Why the blame game, Minister?

MR CORBELL: You only have to read the Auditor-General's report. The Auditor-General's report is very clear. The Auditor-General makes it clear that the management of that project in its entirety was neither efficient nor effective, that it had no regard to value for money, that it failed to properly address the needs of end users, that it failed to properly scope the range of products that were available and that it failed to consult the end users.

The ESA, after a trial that was meant to last four months, decided after only eight days to declare that trial a success. What is quite clear is that the ESA failed to properly advise government of the circumstances in which that project was progressing. Anyone without the partisan political interests of those opposite in reading the Auditor's report would come to the very rapid conclusion that it was a fundamental failure of management, of senior management, within the ESA that led to the inability to properly implement the FireLink project.

Those are the facts. The opposition cannot escape the findings of the Auditor-General. I wait with interest to see how long it will take before the opposition resort to the argument being made by others that the Auditor-General's report itself was biased and incomplete. I can imagine that once this line of questioning is finished, that will be their next argument.

No waste target

DR FOSKEY: My question is to the Minister for Territory and Municipal Services and it concerns the no waste action plan. Yesterday, the minister advised the Assembly that a review of the no waste strategy action plan 2003-07 was being conducted to examine no waste achievements and progress and that that has commenced. Could the minister please advise the Assembly of the terms of reference for that review, the standards against which our achievements and progress will be assessed and the consultation mechanisms that his department will use?

MR HARGREAVES: I thank Dr Foskey for the question. No, I cannot provide that because I do not carry that sort of information at that particular level of detail around in my head. I am quite happy to take that question on notice and provide the information. Probably the easiest thing I can do to make sure that the information gets through to Dr Foskey before we sit next—I do not quite know the process but I am very happy to do this—is to provide the answer in writing to perhaps chamber support for provision to all members, if that is acceptable to the chamber.

MR SPEAKER: Supplementary question, Dr Foskey?

DR FOSKEY: Will the minister commit to making the background information publicly available now and to releasing the review for consultation prior to the adoption of the 2008-11 action plan?

MR HARGREAVES: If I can go back to the previous question, I think what I would do, instead of going through that process, is arrange for a letter to go to all members regarding the terms of reference for that review. That will be, I think, a quicker process. I am happy to do that. With respect to Dr Foskey's supplementary, I will give it the fullest consideration.

Emergency services—FireLink

MRS BURKE: My question is directed to the Minister for Police and Emergency Services. The Auditor-General's report on FireLink states that you received a briefing following a failed operational trial in September 2006 containing these words:

... there is no doubt that the failure of the trial has had some impact on the many members of staff and volunteers who were involved in the trial ... it is better to proceed with further trials of the system and thus gain operator confidence in its use.

Despite this advice, no further trials of FireLink were ever held. However, you advised the Assembly on 12 December 2006:

FireLink does work. It is operational currently in RFS and SES. It does work and it is an excellent piece of technology.

Minister, why did you advise the Assembly that FireLink does work in December 2006 when you had received a briefing that it had failed a trial and operators lacked confidence in it?

MR CORBELL: That brief did not advise me that FireLink did not work; it indicated that there were circumstances around the operation of that trial which had proved problematic. In particular, if I recall that brief correctly—I will perhaps need to check my records on this; it is some time since I read the documentation—the reason for that failure was attributed not to the technology itself but to infrastructure capacity within ESA headquarters at Curtin to manage the volume of traffic that was occurring with the trial.

It is wrong, I think, to assert that that briefing advice was that the technology was not working. In fact, that brief identified that the main cause of the problem with the failure of that trial was with ESA-related technology, not the ATI technology.

MRS BURKE: Mr Speaker, I have a supplementary question. I thank the minister for the response. He may have answered this; I want it to be clear. Why did you then continue to defend FireLink in the Assembly after you received advice from the department of serious concerns over its performance?

MR CORBELL: I think I have just answered that question.

Budget—Treasurer's advance

MR MULCAHY: My question is to the Treasurer. Treasurer, in this year's budget, \$29.2 million will be appropriated for the Treasurer's advance. Treasurer, the statement that you tabled in the Assembly recently on the use of the Treasurer's advance during 2006-07 did not contain any details on those requests that had been made and rejected for Treasurer's advance.

Treasurer, given your clear commitment to openness and accountability, why do we not have any details of requests for the Treasurer's advance that have been rejected?

MR STANHOPE: I must say it is not a question I have ever given consideration to in the context of reasons for or against it. It is not something I have given active consideration to. I would imagine that the practice that has been followed since I have been Treasurer is the historical practice, the practice that I assume was followed by my predecessor and, indeed, by the previous government.

To the extent that the question suggests that the government is seeking to cover up any particular information or is disinclined to be transparent, let me assure members that no active decision has been taken, such as "we will not reveal that particular information".

It does, of course, beg the question: what information about decisions that you have not taken are you not providing? It really is quite remarkable. It is tantamount to actually standing up and asking, "Minister, in the context of the last week, I see reported 20 decisions you have made. Could you tell us how many decisions you have not made or how many pieces of advice you were proffered which you chose not to receive or to accept?" It becomes a nonsense.

The question is: Treasurer, you have reported on all the Treasurer's advances that you have made in the last financial year, but you did not report on the Treasurer's advances you did not make. Will you now report on the decisions that you did not take?

You could stand and ask any minister at any time: minister, you announced today a decision to do such and such; could you please inform the Assembly which decisions you did not take today? Really, it is a nonsense. To suggest that the government should now report or to provide the Assembly with reports on the decisions that it did not take I think is perhaps extending this into an area of accountability or decision making or an apparent transparency that would lead us to quite absurd results.

MR SPEAKER: Mr Mulcahy with a supplementary question.

MR MULCAHY: I will make it easy for the Treasurer. Treasurer, how many requests for Treasurer's advance were declined in 2006-07, and what was their monetary value?

MR STANHOPE: I do not know the answer to that question. Certainly I am happy to take advice. I presume that this is information that, with some research, we could

determine. Essentially, I am happy to provide the information but it is essentially meaningless that I received—

Mr Corbell: Reporting on non-participants.

MR STANHOPE: Yes. I rejected five requests for Treasurer's advances to the value of \$10 million. I am not quite sure how that advances the sum of knowledge in any useful way. I am certainly happy to take advice from the department on the question, and if there is any useful information that I can provide I am certainly happy to provide it.

Live in Canberra campaign

MS MacDONALD: My question is to the Chief Minister. Chief Minister, could you please inform the Assembly of the upcoming activities of the highly successful and award winning Live in Canberra and skilled and business migration programs?

MR STANHOPE: I thank Ms MacDonald for the question. I am pleased to give an updated report on the Live in Canberra campaign, particularly in the context of—

Mrs Dunne: On a point of order, Mr Speaker: there is a question on the notice paper in relation to this—it was on last week—and in relation to the expenditure and the benefits that people have achieved. Maybe it did not go on the notice paper. But there is a lengthy—

MR SPEAKER: That is a frivolous point of order.

MR STANHOPE: That quite frivolous point of order sums up the Liberal Party's attitude to the Live in Canberra campaign. It was in the context of disparaging remarks that have been made by the opposition, most particularly the shadow Treasurer—

Mr Mulcahy: What have I said?

MR STANHOPE: Was it you? Well, it was one of your colleagues. The shadow Treasurer expresses surprise, but in the last two days quite disparaging—

Mr Hargreaves: It was a decision he didn't make.

MR STANHOPE: That is right; a decision that the shadow Treasurer did not make was to disparage the Live in Canberra campaign. That was one of his non-decisions. The Liberal Party have been disparaging. We see the disparaging attitude of the Liberal Party to the Live in Canberra and skilled migration work that the government has been doing in the raising of a frivolous point of order that was designed to cover their embarrassment.

The Live in Canberra campaign is going from strength to strength. It is attracting quite significant cross-jurisdictional and private sector support. The commonwealth government, through a number of their departments, have now joined, and are making cash contributions to the Live in Canberra program. The commonwealth and their

agencies are the largest employer in the territory, so they have a very significant interest in addressing issues around skills and access to a workforce. It is quite pleasing that the commonwealth government have now come on board as a partner and a cash contributor to the Live in Canberra campaign.

There are now 27 organisations, including the ACT government, the commonwealth government, the private sector, leading companies and our universities now contributing to Live in Canberra. In addition to the ACT government's significant support, there is now \$130,000 of support being provided by those other partners. Of course, the Live in Canberra campaign continues to attract very strong public and vocal support from the Canberra Business Council and the ACT chamber of commerce. It is probably fair to say that the only organisation in Canberra that does not support the Live in Canberra campaign is the ACT Liberal Party, once again.

This campaign is a best practice model of a community standing together, shoulder to shoulder, to tackle one of the most significant problems—in the view of the business community of the ACT, the most significant problem that the business sector in the ACT faces. The Live in Canberra team from the Chief Minister's Department has just returned from the Country Week Sea and Tree Change Expo in Sydney, and have received some strong and particularly positive leads from people who attended that expo.

In the next two months, the Live in Canberra team will target interstate visitors to Floriade. We have taken out a six-week "back of bus" advertising campaign in south-west Sydney. Importantly, the Live in Canberra team, in conjunction with the skilled and business migration group within Business ACT, will be travelling to South Africa in a couple of weeks time to attend the Opportunities Skilled Migration Expo in South Africa—one of the largest migration expos.

The point can usefully be repeated that our interest in attending the expo is to inform those South Africans who attend that expo about opportunities available in Canberra. It is a fact that South Africa is now the fourth most significant home of migrants to Australia. The majority, however, settle in Perth. Our intention in going to South Africa is very much to encourage those South Africans who will be looking to migrate to Australia to consider Canberra over the more traditional destination of Perth. To that extent, we are competing with Perth.

Mr Barr: We've got a better rugby team, too.

MR STANHOPE: Of course, the great selling point, I hope, in South Africa is the rugby team here.

MS MacDONALD: I ask a supplementary question. Chief Minister, are you able to quantify the successes of the program and the benefit to the ACT economy?

MR STANHOPE: In relation to the Live in Canberra program there is some difficulty in quantifying its success. It is a broad-based advertising campaign and, at one level, there will be people affected by the campaign who choose to move and settle in Canberra of whom we would never be aware. But we can assess its

effectiveness through the fact that there have been over 50,000 unique website visits to the Live in Canberra site, 25 per cent of which come from overseas.

We have distributed over 2,000 information packs, we have distributed over 10,000 Live in Canberra brochures, and we have conducted very successful campaigns, now repeat campaigns, in southern Sydney and the Illawarra area and already in the United Kingdom and Ireland, and we are returning to the United Kingdom in October and visiting South Africa.

So there is very significant interest. We know of significant numbers of people that have chosen Canberra as a home as a result of the Live in Canberra campaign. Indeed, the Live in Canberra team has 450 people on its welcome event database and we are aware of over 100 that the program has directly assisted. So there is some indication of the numbers of people who have been directly affected by the campaign in their decision to work, settle and live in Canberra.

Just briefly in relation to these skilled business migration programs, it is interesting and our effectiveness is increasing and the number of successful applications that we are processing is climbing significantly and incrementally under the employer-sponsored program. In the last year there were 183 applications from ACT employers to sponsor skilled workers to fill demand in Canberra. Those workers were accompanied on their arrival in Canberra by 217 dependants, and the total salary certified under that particular program was \$9.9 million.

Under the skilled migration program the government sponsored 196 skilled migrants who were accompanied on their arrival in Canberra by 297 dependants. These sponsored skilled migrants will transfer \$21.9 million to the ACT for settlement purposes. Under the business migration program in the last year, nine businesspeople who were sponsored by the government for provisional residence, under subclass 163, propose to invest \$3 million into the ACT economy.

Three provisional visa holders who had successfully conducted business in the ACT for the last two years are being sponsored for permanent residence, with a total investment of \$1.6 million, and three business migrants, sponsored by the government in 2005-06 were granted provisional business visas by DIAC. They have been sponsored to invest \$2 million in the economy over the next two years.

So we are making very pleasing progress under the skilled and business migration programs. Our officers are very active. We are now looking far afield. Indeed, because of the chronic skills shortage and issues around skills, Live in Canberra will remain one of our highest priorities in relation to supporting business in the territory.

Schools—Catholic

MRS DUNNE: My question is directed to the Chief Minister. Chief Minister, on 7 August this year, Archbishop Mark Coleridge spoke on ABC radio, commenting about renewing Catholic schools. He said:

The level of funding for Catholic schools in the ACT is very unsatisfactory. I've said it in letters to the Chief Minister.

Chief Minister, have you or any member of your government responded to the archbishop's letters? If so, in what terms?

MR STANHOPE: I have responded by inviting the bishop to a meeting with me, which I am holding, I think, either next week or the week after.

Emergency services—FireLink

MR SMYTH: My question is to the Minister for Police and Emergency Services. Minister, following the release of the Auditor-General's report on the FireLink project, on ABC radio yesterday you said:

In the first year that we've brought the ESA back within Government, we've addressed the problems with these types of projects. The ESA came in on budget this financial year.

Then, in question time yesterday, you said:

For the first time in three years, this financial year—just past—the ESA came in on budget. It was on budget for the first time in three years.

Minister, if the Emergency Services Agency managed its funds such that it “came in on budget” in 2006-07, why did the agency seek an additional \$2.9 million from the Treasurer's advance in June 2007?

MR CORBELL: I thank Mr Smyth for that question. The ESA sought that amount because it believed that it was not going to come in on budget. It made the request, which was granted, but the money was never drawn down. The money was never called upon and that Treasurer's advance was never formally made to the ESA. The money was not required.

Industrial relations—WorkChoices

MR GENTLEMAN: My question is directed to the Deputy Chief Minister in her capacity as Minister for Women. Could you inform the Assembly of research the government has recently undertaken into the needs of vulnerable women workers in our community?

MS GALLAGHER: I thank Mr Gentleman for his question. I recently released a new report which investigated the impact of national legislation on vulnerable women workers. It has been conducted across the country. The ACT government has commissioned specific research here for the ACT, which shows again the impact on women being the same across the country. The WorkChoices regime is affecting particularly lowly paid women, who are suffering by having to do more work in a climate that offers less choice.

We commissioned the report. It was undertaken by Professor Bradon Ellem of the faculty of economics and business at the University of Sydney, who interviewed 14 women in low paid jobs who had experienced changes to their work as a result of changes to national labour law.

The report found that none of the 14 women who were interviewed had experienced any improvements in their working lives since WorkChoices had been introduced last year. This is despite claims by the federal government that the new legislation will improve the lives and working conditions of working Australians.

The major impacts of WorkChoices for these women who work in the ACT are summarised as follows: no improvements to pay, other than through adjustments to minimum wages; when those adjustments take place, work loads frequently increase; loss of penalty rates and loadings; unilaterally imposed changes in shift arrangements and the hours of work; work intensification; lack of security at and about work; uncertainty about the new laws and the nature of employment agreements; reduced voice at work; new norms at work, with individualised, fearful and intimidated employees; and greater stress on individuals and relationships.

The ACT report was followed with the release of the national report, *Women and WorkChoices: a study of the impact of regulatory reform*, which similarly found WorkChoices was having a clear adverse effect on female workers across the country.

With our limited capacity to regulate the labour market here in the ACT and with our industrial relations regime being provided by the commonwealth, the ACT government continues to look at ways to soften the blow of these policies. We look forward to the coming federal election and hope that we will see a winding back of these changes and therefore an improvement to the conditions that vulnerable women in the ACT are working under.

MR GENTLEMAN: I ask a supplementary question. Minister, what is the ACT government doing to address these needs?

MS GALLAGHER: Thank you, Mr Gentleman. As I said, with our limited capacity to legislate around industrial relations matters we have looked at other ways to support women and, in particular, support women into work. One initiative which we are developing is the return to work grants of \$1,000 for 200 women who are returning to work after having a child.

This program is deliberately targeted to assist women who are not eligible for other commonwealth or territory employment assistance programs. The grants will be available for women who are Aborigines or Torres Strait Islanders, women from culturally and linguistically diverse backgrounds, women who are young or women who are on a low income. The grants can be used to support women to attend short courses, pay for childcare to attend interviews, as well as more formal training or education.

Grants may also provide support for transport costs or the purchase of equipment, clothing or textbooks directly related to a woman's return to work. We are trying to make these grants as flexible as possible to be able to encourage a high uptake of the grants program, but also each woman needs something a little different and may have her own car and, therefore, would prefer to spend the money on the cost of a training course. Women who may have childcare arrangements may decide to spend the money on the purchase of equipment to support their training, or to buy clothes which are suitable for interviews or for working in the workplace once they get a job.

To be eligible, a woman in the ACT would need to have been caring for a dependent child of primary school age or younger for two years or more, and a woman must not have worked for more than four months over the previous two years with the intention of returning to paid work within the next 12 months. The age criteria will not apply if a woman has a dependent child with a disability. These grants will be administered through the Women's Information and Referral Centre and it is hoped that the grants program will be up and in place in time for the 2008 academic year.

This is a new and exciting program for the ACT. We will be monitoring it closely to make sure that it is meeting the needs of women and their families. In light of the current skills shortage, it is essential that we look at ways of supporting women to re-enter the workforce and providing them with the support that they need.

Policing

MS PORTER: My question is to the minister for police. Can the minister update the Assembly on the progress of the implementation of the additional police officers funded by this government.

MR CORBELL: I thank Ms Porter for the question and for her interest. I note her ongoing interest in matters relating to justice and community safety. On behalf of her constituents, Ms Porter writes to me regularly with concerns about community safety and police presence.

I am pleased to inform Ms Porter and the Assembly that the government's commitments to improve the level of police here in the ACT are starting to yield some real results. We now have an additional 40 police on the beat here in the ACT compared to 12 months ago. This brings us closer to the total of 107 extra police that this government has funded since being in office.

Compare that with the miserable record of those opposite in this regard. I can recall speaking to a former Liberal staffer during last year's budget. He advised me that they thought it was big news when they had an extra 10 police to sell as a major boost in police resources. In comparison, this government has delivered. We have significantly increased the number of police in the ACT. By the end of 2008, that total will have reached 107 extra uniformed police.

What does that mean on the ground for Canberrans? In each of our patrol districts—north and south—it means an additional car on the road 24/7 to respond to incidents in our community. We already know that the police have an excellent response time for the most serious incidents, but we have seen pressure in regard to incidents where police response is required within a number of hours—three hours, six hours, 12 hours. In those instances, the additional resources will make a real difference. It will mean that those response times should improve, and the government's expectation is that they will improve. It is a matter that I keep a close watch on through the quarterly reports that I receive from the chief police officer in relation to performance against all of the performance criteria in the contract that we have with the Australian Federal Police for the community policing activity.

What is really encouraging about this is that it is unlike the tokenistic measures to try and improve community safety which we hear of from those opposite. We hear from those opposite the attempt to beat the law and order drum all the time. Their record in government was abysmal. The number of extra police that they put on to support the community when they were in government is less than half of the total increase we put in place just in the last year—let alone the 107 extra police that this government has financed and will have in place by the end of next year.

It is also very encouraging that we are seeing more and more Canberrans taking up the opportunity to serve in our own community police service. I am very pleased to regularly attend the graduation ceremonies at the police college in Barton. The majority of recruits are often coming from the ACT—young people in their teens and early twenties and older people having a change of career in their late thirties or early forties, wanting to go into the police service. It is very encouraging that we see those local residents joining ACT community policing as well as excellent, talented people from interstate and overseas.

Community policing is going from strength to strength under this government. No other government has such a strong record in increasing the number of police resources and providing police with the living quarters and the working accommodation that they need. Witness the new Woden police station and the funding in this year's budget to start planning for the new Belconnen police station.

These are commitments the government has honoured and delivered on. We will continue to support police into the future. I am very pleased to advise the Assembly that the extra 107 police funded target is well and truly on the way to being met. The extra 40-odd police this financial year are already in place.

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

Supplementary answer to question without notice

Pace egg farm

MR BARR: Mr Speaker, yesterday in question time Dr Foskey asked a question of my colleague the Minister for Territory and Municipal Services in relation to the Pace egg farm. The answer, in fact, lies within the portfolio of the Planning and Land Authority. Dr Foskey asked: did the minister consider it was fair and reasonable to charge \$486 per year? I am pleased to advise Dr Foskey that the Crown lease over block 1329, a district of Belconnen, is in fact a rural lease. The application for a further rural Crown lease was assessed under the Land Planning and Environment Act 1991 and the rural policy and the applicable disallowable instrument that provided further rural lease grant conditions.

Schedule 6 of the disallowable instrument provides a land value formula for rural leases less than 21 years. The Australian Valuation Office, as Minister Hargreaves advised yesterday, provided ACTPLA with an annual rent figure of \$486 in accordance with schedule 6, formula 2. Dr Foskey asked how it compared with charges imposed on other permitted land uses of a similar nature in the ACT. I can advise that, where a further rural Crown lease has a maximum lease term of 20 years,

the rent payable by a lessee for a further rural Crown lease is determined under the same formula of the disallowable instrument. Given the above, if another land user applied for a further rural Crown lease of a similar nature in the ACT, the rent payable for the Crown lease would be determined under the same formula as the Pace farm Crown lease.

Finally, Dr Foskey asked how generous rental terms, as she described them, are taken into account when government decisions result in businesses insisting that government owes them compensation. I can advise that compensation for lessee-owned improvements under the Land (Planning and Environment) Act 1991 is payable upon the expiry, termination or surrender of the Crown lease. The Crown lease also provides for compensation for lessee-owned improvements only to be paid upon the withdrawal of any land from the Crown lease. No compensation is paid in relation to land. Compensation is only paid for the lessee-owned improvements on the land.

Papers

Mr Speaker presented the following papers:

Study trips—Reports by Mr Stefaniak MLA—

Sydney—Opposition Leaders Meeting, 30 May 2007, Menzies Institute Seminar, 1 June 2007 and Liberal Party Federal Council, 1 to 3 June 2007.

Inaugural Conference of Australian Members of Parliament—Parliament of Victoria, Melbourne, 22 to 24 July 2007.

Kama property—Copies of letter to the Chair of the Select Committee on Estimates from the Chief Minister, dated 21 August 2007, including attachments.

Kama property Statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): I seek leave to make a statement.

Leave granted.

MR STANHOPE: Mr Speaker, I do regret that I need to rise, once again, to correct the false claim, false assertion, from Mr Smyth. It is essentially par for the course that every time he opens his mouth he says something that is not true. He has done it again: would I like to explain why the material was not provided to the estimates committee. In fact, the material was provided to the estimates committee, Mr Speaker. It is just that the estimates committee ceased to exist before it was distributed.

In order to provide material that was provided to the estimates committee to the Assembly as a whole, it was felt that the most effective device for achieving that was

for it to be tabled for the information of all members of the Assembly to overcome the fact that, as a result of the effluxion of time between its presentation to the committee and now, that particular committee ceased to exist. I find it passing strange that the committee could not apparently distribute it as a result because it did not exist. The reason for tabling it today is to ensure in the most expeditious way that the government's determination to provide members with the information in the documents has been achieved.

Paper

Mr Stanhope presented the following paper:

Ministerial travel report—1 January to 31 December 2006.

National Environment Protection Council acts—review Paper and statement by minister

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

National Environment Protection Council Act, pursuant to section 63(4)—*Second review of the National Environment Protection Council Acts (Commonwealth, State and Territory)*—Report prepared by John Ramsay Consulting, dated June 2007.

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

Leave granted.

MR STANHOPE: Thank you, Mr Speaker. I bring to the Assembly today the *Report of the second review of the National Environment Protection Council Acts, (commonwealth, state and territory) June 2007*. The report was prepared by John Ramsay Consulting Pty Ltd at the request of the National Environment Protection Council.

The Environment Protection and Heritage Council has agreed to table this report in all Australian parliaments. The National Environment Protection Council Act 1994 established a national environmental legislative scheme to make and implement national environment protection measures. These measures are broad framework-setting statutory instruments. They outline agreed national objectives for protecting or managing particular aspects of the environment. The acts recognise that there are benefits to all Australians in developing nationally consistent environment protection standards, guidelines, goals and associated protocols to achieve the objectives of equivalent protection from pollution, non-distortion of business decisions and non-fragmentation of markets.

Overall, the *Report of the second review of the National Environment Protection Council Acts* concludes that the core aspects of the National Environment Protection

Council activity and processes are sound and that governance arrangements between council, committee and the service corporation are working well in fulfilling their respective functions. I commend the report to the Assembly.

Cultural Facilities Corporation

Paper and statement by minister

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

Cultural Facilities Corporation Act, pursuant to subsection 15 (2)—Cultural Facilities Corporation—Quarterly report 2006-2007 (1 January to 31 March 2007).

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

Leave granted.

MR STANHOPE: As members are aware, the Cultural Facilities Corporation delivers a range of arts and cultural programs and services for access by the ACT community at a number of key cultural venues. Under the Cultural Facilities Corporation Act 1997, the Cultural Facilities Corporation is required to provide quarterly reports on its activities and table these reports in the Assembly. I am now pleased to say that the corporation has completed its report for the third quarter of 2006-07, being the period from 1 January 2007 to 31 March 2007, and I present this report for members' information.

From the third quarter report for 2006-07, members can see that the corporation delivered a diverse range of programs and activities for the benefit of the ACT community through its theatres, galleries and historic places. Overall, 68,000 patrons attended the corporation's facilities—theatre, galleries and historic homes—during the quarter, which provides an indication of the level of community engagement in arts and cultural activities. I would like to draw attention to a number of key highlights from the report.

During the quarter, the Canberra Theatre Centre attracted over 37,000 patrons to its three venues. The first two productions in the 2007 subscription season of *Keating!* and *A Local Man* were presented during the quarter. After selling out the original season in January-February, *Keating!* returned. A representative from Arts Access Victoria attended the captioned performance of *A Local Man* with a view to introducing a similar initiative at the Victorian Arts Centre.

During the quarter, free tickets were distributed to disadvantaged groups, including Youth in the City, and to the ACT War Widows Guild. In addition, a number of tickets were distributed to the Migrant Resource Centre, the ACT Carers Association and the ANU School of Language Studies. During the quarter, the Canberra Museum and Gallery attracted over 7,000 patrons to its spaces and programs. CMAG opened

the following five varied exhibitions during the quarter: Liz Perry Textile Collection, A Cage Opera, Meg Buchanan, Klaus Moje, and David Jenz.

CMAG education staff conducted one of the major events on the education calendar on 23 March 2007. Seventy-eight students attended the St Clare's Forum Day, participating in sessions on visual arts, photography, design and technology, and graphic design. Almost 23,000 patrons attended activities at the corporation's historic places including Lanyon, Mugga Mugga and Calthorpes' House. One of the major events of the year for historic places, the Lanyon Garden Festival, was held on 24 and 25 March 2007, which attracted 920 visitors. As members can see, the corporation provides many arts and cultural activities for all Canberrans, and I am pleased to table this report for the Assembly.

ACT mental health strategy and action plan 2003-2008

Paper and statement by minister

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (3.20): For the information of members, I present the following paper:

ACT Mental Health Strategy and Action Plan 2003-2008—Progress report June 2007, including a report on key achievements.

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

Leave granted.

MS GALLAGHER: Mr Speaker, it gives me great pleasure to table the ACT government's annual progress report on the ACT mental health strategy and action plan 2003-08. The previous Minister for Health, Simon Corbell, launched the ACT mental health strategy and action plan in April 2004, which set the framework and direction for the delivery of mental health care in the ACT.

In November 2004, the then Minister for Health wrote to all members of the Legislative Assembly advising that the government would provide an annual report to the Assembly on progress on the implementation of the strategy, in contrast to the previous quarterly reporting schedule. The first annual report was tabled in the Assembly in July 2005. The ACT mental health strategy and action plan mid-term review was tabled as the second annual report in July 2006.

Today I am tabling the third annual progress report. Over the last 12 months, ACT Health has made significant progress in the implementation of the plan. In summary, 18 actions have been finalised and 33 actions have been significantly progressed. Highlights of the last 12 months of implementation include improved relationships between Mental Health ACT and various supporting services—for example, collaboration with the ACT Division of General Practice on the "can do" initiative for people with co-existing mental health and drug and alcohol problems. This initiative aims to improve the support and working relationship between general practitioners and specialist mental health services.

The Mental Health ACT executive endorsed the use of a recovery plan to replace the previous consumer care plan. The plan ensures that all care planning now occurs in a recovery framework, and includes consultation with the consumer and carer. Recovery principles have also been endorsed. These underpin recovery training conducted in both 2006 and 2007.

Mental Health ACT released the important document *Consumer participation and carer participation across Mental Health ACT: a framework for action*. This document is the result of close collaboration with consumers and carers to develop a way forward for a mental health service that acknowledges the vital role that consumers and carers play in the design, delivery and evaluation of services. Implementation of the framework has already commenced.

As you will see in this annual progress report, the examples I have given you today represent a small sample of the extensive work that has been achieved since the introduction of the strategy. The 2007-08 budget builds on this work, with funding for a new step-up, step-down facility to complement the youth facility. We are also undertaking design work on a new inpatient facility, a forensic facility and working with consumers, carers and the wider community to map the future of our mental health services. To cap what has been an unprecedented time of reform in our mental health services, we are also working with the community to reform our Mental Health Act.

I would like to take this opportunity to acknowledge the work of the mental health sector, including the chief psychiatrist, ACT Health, the community sector, consumers and carers. Their commitment to creating a better and more inclusive system will ensure our community enjoys innovative, caring and responsive mental health care. I move:

That the report be noted.

Debate (on motion by **Mrs Burke**) adjourned to the next sitting.

Papers

Ms Gallagher presented the following paper:

Children and Young People Act—Review of the operation of the Children and Young People Act 1999—Third report on key findings, dated August 2007.

Mr Barr presented the following paper:

Occupational Health and Safety Act, pursuant to section 228—Operation of the Occupational Health and Safety Act 1989 and its associated law—Fourth quarterly report for the period 1 April to 30 June 2007.

Construction Occupations (Licensing) Act 2004

Paper and statement by minister

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

Construction Occupations (Licensing) Act, pursuant to section 131—Review of the operation of the Act.

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

Leave granted.

MR BARR: Mr Speaker, in 2004 the government introduced the Construction Occupations (Licensing) Act 2004. The new legislation brought with it significant improvements to the way the construction sector is administered in the ACT. It has established a framework which provides for effective regulation of the construction industry in the ACT, ensures high levels of competence and training in the industry, and establishes a qualifications framework which enables labour market mobility. This aspect is essential in ensuring that there are adequate numbers of builders, building certifiers, plumbers, electricians, drainers and gasfitters in the Canberra construction sector.

The act requires that a review of the legislation be conducted covering the first two years of the act's operation. Earlier this year I directed the Planning and Land Authority to undertake a review of the operation of the act and its several operational acts. The detailed review focused on the provisions of the legislation, the functions of the Construction Occupations Registrar and the administrative procedures adopted in its implementation and operation. A summary report of the review outcomes has been presented to me.

Mr Speaker, as we are all aware, the construction industry plays a significant role in Canberra's economic development. The creation of new employment in the city has not only resulted in high demand for commercial office accommodation but also resulted in high demand for housing in our city. The provision of affordable housing is, in part, dependent on the availability of builders, plumbers, electricians, gasfitters and other tradespeople to ensure the timely completion of new residential development, whether it be infill development or housing in new suburbs such as those in Molonglo that I announced last month.

The construction occupations framework has enabled the ACT to adopt a nationally consistent approach to licensing, facilitating the movement of greater numbers of construction practitioners to Canberra. This is due to the structure of the licensing and qualification framework established under the act, unique among the states and territories. The framework fits very neatly with the new national qualifications framework adopted by all Australian jurisdictions under the Council of Australian Governments. The COAG framework establishes a national training package, delivered by industry registered training organisations. Unlike previous licensing regimes which operated in the various states and territories, under the national

framework in order to be eligible to become licensed anywhere in the country, it is only necessary that a tradesman or tradeswoman complete the requisite training modules delivered through the national training package.

National training packages are consistent across Australia and are developed and audited by the industry regulators—in the case of the ACT, the Registrar of Construction Occupations under the act. This system allows tradespeople from anywhere in the country to move across borders to wherever the demand for labour is greatest.

The ease with which the ACT has been able to adopt the COAG framework has not only resulted in greater engagement between the regulatory authority and training providers but also importantly meant that construction practitioners from interstate can quickly and easily become licensed in the ACT, resulting in a more flexible and more effective regulatory and compliance framework. All of these facts play a crucial role in ensuring the availability of a competent and highly skilled labour force in the midst of Canberra's construction boom.

In the two years since the commencement of the Construction Occupations (Licensing) Act the number of licensees issued under the act has gone up by 10 per cent. This results in 10 per cent more plumbers, electricians, builders, gasfitters, drainers, plumbing plan and building certifiers who are eligible to provide construction services in the territory.

At the end of the review period, there were 7,642 licensed individuals or entities in the ACT. Compared to other jurisdictions, including notably New South Wales, relatively few occupations are required to be licensed in the ACT. There is therefore a significant number of tradespeople providing services in the construction sector who are not required to be licensed. These include carpenters, painters, tilers, fence builders, plasterers and renderers. Only the following occupations are required to be licensed under the act: asbestos assessor, asbestos removalist, builder, building surveyor, drainer, electrician, gasfitter, plumber and plumbing plan certifier.

Mr Speaker, you will have noticed that first among the occupations I just mentioned are the occupations of asbestos assessor and asbestos removalist. The ACT is the first and, to date, the only jurisdiction in the country to require the licensing of asbestos assessors. These new occupations were created as a result of the recommendations arising from this government's asbestos task force which was established in 2005 and which reported last year.

The ACT is a national leader in this area, having not only created the occupations but also developed the national training package for asbestos removal work. This training package can now be delivered anywhere in the country and will allow other states and territories to adopt licensing requirements for asbestos assessors and removalists, ensuring the safer handling of this very dangerous product which continues to be of concern in the community.

The Construction Occupations (Licensing) Act has brought about a consistent approach to licensing and regulation across all of these occupations. Prior to the adoption of the act, each occupation was administered under a separate regulatory

system. Separate licensing boards existed for builders, electricians and plumbers, drainers and gasfitters. There was an inconsistent approach to enforcement provisions, disciplinary sanctions and administrative procedures. The unified approach to construction occupation regulation was finally realised when the gas inspectorate was transferred from ACT WorkCover to the Planning and Land Authority in December 2005.

Under the new act, the Registrar of Construction Occupations has the ability to undertake inquiries into disciplinary matters. Under the old framework there was only the ability to cancel or suspend a licence, or to effectively do nothing. The new regime provides for a more flexible approach to imposing a range of sanctions as appropriate, aimed to identify and rectify inappropriate behaviour, without allowing unscrupulous or incompetent tradespeople to continue practising unchecked. The new system has proven to be an effective means of addressing compliance issues in the construction industry. The new laws also allow the registrar the ability to issue orders requiring that substandard or unlawful work be rectified, a power previously unavailable to the licensing boards.

Mr Speaker, the review of the legislation undertaken by the Planning and Land Authority has identified a number of improvements to the legislation. Some of these will require further consultation with industry and may subsequently result in legislative changes. The review also identified a number of minor refinements to processes and administrative arrangements within the department. Some of these have been addressed internally and others will result in minor legislative changes to provide further clarity and further improve the operation of the legislation.

It is expected that these legislative changes will come before the Assembly in 2008, following more extensive consultation with industry. This review has therefore been a valuable step in the process of evaluating and bedding down what is essentially an entirely new regulatory framework. The government will build upon the strengths in the act to improve the operation of the act's enforcements and disciplinary provisions. We will continue to work to ensure close cooperation with the training sector to ensure the flow of adequate numbers of skilled workers into the ACT labour force, and to ensure that the construction industry is able to continue to deliver housing stock in Canberra as part of the government's overall strategy of ensuring the provision of more affordable housing.

Appropriation Bill 2007-2008

[Cognate paper:

Estimates 2007-2008—Select Committee report—government response]

Detail stage

Schedule 1—Appropriations.

Proposed expenditure—Part 1.11—Department of Territory and Municipal Services, \$266,922,000 (net cost of outputs), \$147,451,000 (capital injection), and \$964,000 (payments on behalf of the territory), totalling \$415,347,000.

Debate resumed.

MS GALLAGHER (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (3.33): I will not speak for more than a minute but I just wanted to respond to something Mr Mulcahy said in his speech. He referred to a woman who could not get an ACTION bus to Manuka, who fell over and fractured her hip, and who was then placed in the elective surgery queue for surgery. I just want to assure the Assembly that a fracture near the femur would qualify for emergency surgery. We rank No 1 in the country for access to emergency surgery.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (3.34): I wish to address a number of issues in the TAMS budget. I refer, firstly, to environment and climate change and to the response of the department and the government. I think there are some concerns about the lack of action in these crucially important areas, which is a hallmark of this government. A word that comes to mind is tokenism. For example, last year it took the Chief Minister 16 months just to come up with a couple of cursory cut and paste type discussion papers on energy and climate change, and they just stated the bleeding obvious, namely, that they are serious issues.

Those papers certainly did not contain any specific policy options on which we could have had a productive debate. Indeed, there has been a lack of real substance. During the term of this government it has downgraded the environment advisory structure, abandoned the last Liberal government's greenhouse gas targets—which initially it liked but it abandoned them as too hard—bungled the regeneration of the lower Cotter catchment area, and failed to provide real leadership on water conservation. Now, of course, it is trying to play catch up on that crucial water security issue.

Indeed, the crucial nature of our water supply is slightly less critical since the onset of the recent good rains, but we have not had much for a few weeks which is really worrying.

Mr Hargreaves: This is the Actew line.

MR STEFANIAK: This matter has revealed in all its starkness the ineptitude and lack of leadership of the ACT government on this vital issue, which is essential to the survival of the city of Canberra.

Mr Hargreaves: You have got the wrong item again.

MR STEFANIAK: No. What I am saying, Mr Hargreaves, if you listen—and I will not go through things like environmental flows, because that is the Actew line—

Mr Hargreaves: That is right.

MR STEFANIAK: The government prematurely wound back water restrictions at the end of 2005.

Mr Hargreaves: He is on the wrong line again.

MR STEFANIAK: Here is one issue that does concern you. We lag behind the regional councils which have taken a proactive approach to encourage citizens to save

water. Compared to the WaterWise scheme adopted in Queanbeyan the only rebates we have in Canberra are for water saving, and they are only small and partial rebates. Only now are we starting to see some action being taken in relation to the use of grey water and water from stormwater drains.

It has taken this government a long time to do that, especially on its playing fields. In fact, it ignored the advice of experts in 2003 on how to water its ovals when we were at level 3 water restrictions. This government ignored advice about grasses that needed only 20 per cent or 30 per cent of water. Only now is it starting to heed that advice but we are yet to see any of those new grasses being put in. I think the government is piloting a few grasses at Watson.

This government is a bit behind the eight ball in watering these ovals and in adopting sensible conservation measures. It will have some real problems in maintaining these assets if the drought does not break. What concerns me is the number of groups that will be affected. Clearly, I think you can do a lot more, for example, by using stormwater drains. You need to do a lot more. You need to look at utilising the lower Molonglo treatment works to get water to these ovals and essentially to those parts of our supposedly beautiful bush capital that are going to rack and ruin. That would not have happened if you had adopted correct policies for these crucial community assets, a matter of considerable concern.

As I said earlier, I will not attempt to wander into Actew areas, but I suggest that the government should utilise things such as the lower Molonglo treatment works and use much more grey water. In fact, in the 1990s we pioneered the use of a fair bit of treated sewage on ovals. The project in Banks, at the bottom of Tuggeranong Valley in your area, Mr Hargreaves, is no longer operational and only parts of the fields in north Canberra are utilised. You must do a hell of a lot more there very quickly.

Whilst I am on sport and recreation, ovals are very much part of that. I will not labour the point because other members and I have made it in the past few days, but it is appalling and it is false economy to cut sport and recreation grants from about \$2.4 million or \$2.5 million down to about \$1.9 million. That has had a huge impact on many mass participation community organisations, which clearly is very false economy.

For the sake of saving supposedly \$500,000 you will reap real problems in the future in the health area through a lack of participation in sport. You would achieve a great deal more by spending a buck—something that is not being done in the TAMS budget. I will leave it to my colleagues to talk in detail about things such as ActewAGL, urban services and the look of the city. Mr Pratt has some interesting information for you.

Quite clearly, that is an issue of real concern. We get more complaints about that issue than we do about anything else. People who have lived here for ages and, more worryingly, people who come back after a 10-year absence, say that the city looks tacky and tired. It does not cost a lot of money to fix it up; it just takes a bit of willpower and things like graffiti squads to take graffiti off buildings and fences within 24 hours of it being put there. It does not take a huge amount to ensure that the grass is mowed and that the potholes are filled in.

It is pretty disgraceful when potholes are not filled in. Last year Mr Pratt and I went out and we found some potholes that had been there for at least three months or more. If we are lacking in those sorts of basic things which do not cost a lot of money it is indicative of a government that does not have its priorities right. I have made my contribution to this debate and I will elaborate further—

Members interjecting—

MADAM TEMPORARY DEPUTY SPEAKER (Mrs Dunne): Order, members and Mr Hargreaves!

MR STEFANIAK: I will elaborate further when we come to the ActewAGL part of this minister's responsibilities.

DR FOSKEY (Molonglo) (3.42): I commence my comments about Territory and Municipal Services by referring to public transport. Unfortunately, the only issues in this budget that we can discuss largely relate to ACTION buses. I wish we could also discuss the budget for light rail cab links or car share services, but I imagine that we will have to wait for a new government before we can do that. I welcome the increase in funding for public transport but I am disappointed that there is no commitment.

Members interjecting—

MADAM TEMPORARY DEPUTY SPEAKER: Order, members! Dr Foskey has the call.

DR FOSKEY: I am disappointed that there is no commitment to increasing services. As I have said before, this budget has an unhealthy focus on encouraging private car use. We need a more frequent, more accessible and more sustainable transport plan, or at least a commitment to one that we already have. I am pleased that more funding has been allocated to making buses accessible to people with disabilities, although this is very slow, and largely you have to live on the right route to take advantage of the few that have accessible buses on them.

Similarly, I applaud the government for making bus travel free for cyclists from the beginning of next year as a greenhouse gas reduction measure, but again not all buses are so equipped. Despite the minister's protests I still maintain that it is extremely difficult for parents with prams to use our bus services and only those without other transport options resort to wrestling with prams on our buses. I would have liked to have seen more targeted public transport options, a robust transport system that not only caters for the most vulnerable but also is attractive to people of all income levels and is part of a broader sustainability strategy.

Those who cannot afford to drive or who do not own a car should not be penalised for needing regular services outside peak hours. I certainly look forward to the results of the ACTION survey and I hope to see implemented the recommendations in the inquiry of the Standing Committee on Planning and Environment into public transport as there were some sensible proposals for working with what we have to enhance current services. I also await the detail of the government's new bus network and hope that it comes close to meeting the needs of the community.

Of major concern this funding round is the beginning of corporate sponsorship going hand in hand with the supply of municipal services. By this I refer, of course, to Adshel billboard bus shelters. It reeks in the same way as the corporate sponsorship of schools in Sydney. I do not know whether members remember the outcry when that first started. In Canberra we will be seeing 200 new bus shelters erected free of charge and 200 large advertising billboards which, up until now, it has been illegal to display in the ACT.

Mr Hargreaves: It is 133, not 230, and you know it.

DR FOSKEY: The minister tells me that it is 133, so I correct my statement.

MADAM TEMPORARY DEPUTY SPEAKER: Order! The minister could make that comment in his concluding remarks; he should not shout it across the chamber. Dr Foskey has the call.

DR FOSKEY: Thank you, Madam temporary Deputy Speaker. I believe you are doing an excellent job, or you are trying to. I am not sure when the government changed its policy on billboards in the ACT. Maybe I was away that day. This is the end of a long-standing planning policy to ensure that Canberra would be free of advertising that would detract from its bush capital status, and that is the main difference that visitors to our city notice at present. Apparently, the bus shelters will be similar to those that Adshel has erected across the country, making Canberra, with its unique planning laws, look much like any other city in this regard, for at least 15 years. I wonder what the NCA has to say about it.

I would also like the government to tell us how it will refuse requests to place billboards on buildings and elsewhere now that bus shelters are to be advertising features. Seating in shelters will certainly be welcomed by bus travellers whose waits have been lengthened since the new cost-cutting timetable was introduced last December. However, we will see whether people are as happy about the price that Canberra will pay for the new shelters. In reply to a question that I asked in the estimates process it was clear that the advertisements will meet the national guidelines on advertising standards, but the ACT has no particular control over content and style.

We are yet to see how this translates into advertisements that will now be there to distract the drivers at whom they are aimed. Of course, we have to remember that these billboards are for car drivers and passengers, not for people waiting for buses. They are only incidental to Adshel's aims.

Mr Barr: What about the ads on the backs of existing buses?

Mr Hargreaves: What about those green triangles?

MADAM TEMPORARY DEPUTY SPEAKER: Order, Mr Hargreaves!

DR FOSKEY: I would like the government to reassure Canberra residents that they have not given up control of the messages that confront us in our streets if a significant number of people find them offensive. The only possible justification for

handing over bus shelter provisions is that this will free up more money for more buses on more routes more often, which is the main outcome that Canberra residents want.

On the positive side, I hope that these bus shelters are of a design to provide sufficient shelter from wind and rain, as some of these modern designs look good if you are not in them but they do not really shelter people sufficiently. I also hope that the government continues its own program of installing bus shelters. I hope that the department prioritises high traffic areas such as London Circuit. Even the busy stop right outside the Assembly is on the footpath, blocking pedestrian thoroughfare when passengers alight, and it does not have any shelter whatsoever.

In this budget there has been a huge injection into roads and car parking but, as usual, there is very little on the sustainable transport front. Referring to spending on cycling needs, there is provision for cycle paths to be built concurrently with some of the roads that are being built, which is intelligent thinking and I applaud it. However, I note that the existing cycle path network is desperately in need of maintenance spending and upgrading. It used to be one of the best cycle path networks in Australia but it is losing that reputation.

I highlight recommendation No 52 in the estimates report that the government expedite the construction of the new Tharwa bridge. The government's response that the new bridge is due for completion by the end of 2008 does not really sound to me like it is being expedited. In fact, I think that was the original timetable. If the bridge cannot be built any faster I would like to see other options explored such as a Bailey bridge, which Bracks got the army to install in the flood area of Gippsland and which was used in Hobart when the bridge had to be rebuilt in 1977.

This is a matter of urgency for the residents of Tharwa, although their concerns have been sidelined consistently, as well as being a major deterrent for visitors to Namadgi. While we are talking about Namadgi I take the opportunity to talk about fire trails and fire management. First, I commend the decision to develop a sub-regional fire management plan, which I would like to see developed with real community consultation at a sub-regional level. Second, I note the government's update on the proposed new fire trails. The Greens were happy that funding for new fire trail construction was not in this year's budget but they were disappointed that that is still being proposed.

It is sensible to maintain the network of existing fire trails to keep them useful and accessible, something on which I believe we have multi-partisan agreement, but in this day and age constructing new fire trails through wilderness areas is not acceptable. People flock to Namadgi for its breathtaking views, its solitude, the opportunities for family day walks, overnight walks and rock climbing, Outward Bound training excursions, indigenous heritage learning and much more. They do not want fire trails to rip through ridges littered with huge granite boulders and lush vegetation—trails that would spoil views and wild nature in our unique and beloved Namadgi.

If any members have not seen the areas where the fire trails are proposed to be pushed through I suggest that they take a walk with Canberra Bushwalking Club which will show them the many special places that the government currently plans to bulldoze.

Orroral Tors is a particularly short but spectacular walk with huge boulders and caves along the ridge, right where the proposed fire trail line is drawn. I really look forward to hearing the government's decision about that as I know that it went very quiet after protests by some groups.

Another national parks issue that I must raise relates to a lack of funds for rangers. In last year's budget we saw drastic cuts to parks, conservation and land ranger services and, despite the surplus, there are no funds. (*Second speaking period taken.*) We are losing experienced staff through this lack of foresight. The government is happy to spend large amounts, or it seems to be happy to spend large amounts, on funding fire trails, but at the same time it is cutting funds to maintain the employment of trained, experienced fire-fighting rangers.

Where is the logic? What is important to the government—destroying wilderness values to put in roads that hopefully will require little use, or maintaining good staff to ensure good management, including wildfire prevention measures in our only national park? While we are talking about fire management, another point I would like to raise relates to the urban tree management program. I know that we are all very proud of Canberra being the bush capital and the fact that some of our wildlife pervades even those suburbs that do not border nature reserves.

I am concerned that the general fear of bushfires and an overcautious fear of litigation have brought about an urban tree management policy that fells old trees once they start dropping branches rather than just paying attention to branches that need lopping for fear of public liability issues and rather than allowing trees to senesce gracefully, creating a habitat for tree-dwelling animals, in particular, birds, bats and possums. It is important to have trees in a variety of age ranges. I would be keen to see more detail on the government's tree replacement policies as the little information we gleaned from the minister during estimates was not very helpful.

The 2006-07 financial year was a sad one for public libraries in Canberra, with the closing of Griffith library and the Civic library move and subsequent flood, which resulted in it being closed from January to June. I hope that government funding for libraries continues to ensure an up-to-date accessible library service and that no more library closures are in the pipeline. In the past year we also saw a number of government shopfronts and services close or move, such as the Registrar-General and the Office of Fair Trading, from Civic to Fyshwick.

I still get asked where the government shopfront is in Civic and I have to explain that Dickson is now the closest one. I feel particularly sorry when I have to tell people who caught a bus into Civic to do their business. I have heard stories of people waiting hours for their turn at those shopfronts that remain open. Again, I hope that the government has finished the job of making government services more inaccessible. From here on I hope that existing shopfronts are well supported and play a role in engaging with the community on all manner of issues. I urge the government to reconsider and re-establish the shopfront in Civic, the place that drew most people because of its planning policies.

The estimates process gave us no insight into the future of Albert Hall. It is clear that the government is halfway through a tender process that does not guarantee that

Albert Hall will address community need or reflect the values and affection accorded it by a large part of the Canberra population. The NCA, which is re-working its plans for the whole Albert Hall domain, might be taking into account the view of the ACT Heritage Council on the Albert Hall environs. What that will mean for the long-term future of the building itself remains uncertain.

The key problem that we still have with this half-finished tender process is that it will require the managing company to make a substantial capital investment in the building, and such an investment is long overdue. But to require a private business to make such an investment in a public asset creates a form of un-coded shared ownership that will lead to complex problems further down the track that will be very difficult to unpick. The recent history of the Phillip Aussie Rules football oval is testament to that.

Recent well-attended and lively public meetings have demonstrated how important Albert Hall is to Canberra's sense of identity as a city that is the home for generations of residents. This government's reluctance to put its preferred solution on hold in order to take account of recent developments and interests will come back to haunt it and those of us who believe that the hall could again play a big role in our civic life.

Finally, I want to talk for a moment about waste as it has been a bit of a topic this week. The decision around the Mugga Lane Resource Management Centre, previously under the management of Revolve, was disappointing. It raised an important and contentious issue about tendering processes and procurement. That process was not fully transparent. When the department was asked during the estimates process about what the terms of reference were, particularly in relation to the waste management strategy on which the tender process was based, we were told that the strategy was on bits of email and whiteboards and generally inaccessible.

Other points I raised about the employment of disadvantaged people seemed to be lost in political point scoring. Just for the record I point out that the whiz-bang new composting system at the ANU is actually a HotRot system, not a HotRock system, as is written on page 143 of the estimates report. I have been to see that system and I understand that, despite it taking most of the organic waste from the campus, there is still a capacity to double it. I would say that any government department that is nearby would be most welcome to approach ANUGreen to be involved. Of course, I welcome the announcement yesterday, muted though it was by commercial-in-confidence provisions, that such a facility might be developed in Hume.

MR PRATT (Brindabella) (3.59): I support the passage of this bill, but I cannot but take the opportunity to comment on where the opposition believes that value can be added to the government's approach to territory and municipal services aspects of this budget. I want to list a number of areas of concern.

The first is roads and bridges. The community of Tharwa has had to wait far too long for a replacement bridge. The ongoing debacle that is this government's management of the project is appalling. An incredible amount of time was spent on the on-again, off-again decision to repair or terminate the existing bridge, the heritage bridge. That is an issue which still draws some debate in any case.

The \$9 million-odd project time frame, from the decision point of late last year to when the bridge will be finished, is a very long time frame. It quite clearly illustrates the fact that the government did not have enough funding in the bucket to get moving more quickly than they were able to. Certainly, the expert advice is that that bridge could have been built somewhat faster than it is going to be.

The Tharwa community are quite cut off. They are clearly left with an unsafe, inadequate detour of 15 to 30 minutes, depending on the time of the day or night and what type of vehicle is being driven. Indeed, the government has remained far too stubborn on the issue of perhaps taking up the offer of assistance from the commonwealth in the shape of a temporary low-level crossing.

I was very pleased to see the Greens raise this matter. It seems that the only time the minister thought to look seriously into the idea was after the opposition took the initiative of writing to the commonwealth and then advising the government. There is some confusion as to when the government did find out about the advice that the opposition passed to it. The government's claims that a low-level bridge would cost in excess of a million dollars and take many, many months to build are broadly disputed by local and expert opinion. Certainly, as a consequence, Tharwa remains quite badly cut off.

Going to roads, we have talked here ad nauseam about the Gungahlin Drive extension project. Clearly, in the last couple of years it has sucked up all road upgrade funding. The minister's denial and rewrite of history that the Gungahlin Drive extension was on time and on budget is rather laughable. The \$32 million project, which has now become a minimum of \$108 million, even if you allow for the government's adjustment of \$15 million or \$20 million in 2002, still indicates a very significant overrun of budget.

There are a number of other areas of concern, including the traffic chokes on the Pialligo-airport complex of roads and the failure to deal with the Tharwa Drive duplication, which has been neglected for years. We finally see a million dollars in the budget to look at the Tharwa Drive duplication. It is really only seed money; it is not sufficient to bring that project to realisation.

Under capital initiatives in the 2007-08 budget, \$33.5 million is allocated to capital works on roads, and that is welcome. Well done, government. For the following year, 2008-09, it is \$7.5 million, with no more in the outyears. You have to wonder whether we are going to see the same pattern. The \$33.5 million, by the way, includes \$4 million allocated as contingency for the GDE, and you can bet that the contingency will be spent because so far the GDE has never met any of its adjusted time lines or adjusted budget lines.

We still do not seem to have that comfortable plan in place which gives the public some confidence that there is a strong program of roads and bridge repairs and capital upgrades that are going to be done on time. How do we know that some of these other projects will not be put on the backburner next year because the government again underestimated GDE's costs next year, if they happen to go into next year?

The second area of concern is footpaths and drains. I am hard pressed to find any significant funding for footpaths and drains. I hope it is absorbed within the \$10 million capital upgrades that I see on page 995 of budget paper No 3. I have previously raised in this place the Condor and Chisholm drains, which were quite substantially destroyed in the January 2007 rains. Nine months later I think we are beginning to see repair work on those. It has been a long time coming. Do not forget that further damage was done to those drains during the winter rains of May-June because the government did not have the funding available to fix those projects when they should have been fixed properly.

The third area of concern is shopping centre upgrades. I welcome the minister's announcements yesterday of, I think, four to five or maybe half a dozen shopping centre upgrades. But there are a lot more that need attention. The minister cannot fix all 12 or 15 in one year, but if the program had not been neglected over some five or six years the bill might not be quite as high as it is now.

The government's pay parking at hospitals was a no-brainer. Of course, we now know that they lost \$500,000 on the harebrained scheme that they ran at the public hospitals. That was a failed effort. They lost half a million dollars and they scared the pants off everybody in the community. They inconvenienced people, and for what—a \$500 million loss after a management debacle of 12 months.

I want to turn quickly to the recycling of water. My erstwhile colleague mentioned that matter, even if he did raid the Actew line item. However, I cannot go past mentioning the fact that I do not see any initiative in this budget or in any statements appending the budget that the government might even be thinking about using its public building assets, its roof spaces, for at least a moderate collection of some rainwater and certainly the recycling of government institutional grey water, perhaps with a view to at least trying to provide some local water for collocated green spaces. Use your imagination, government.

Mr Hargreaves: I told you: Macarthur House.

MR PRATT: If you are trialling it there, could we now see a decision taken? Where is this decision in this budget? It is not there. How long does a trial have to go for?

I now want to turn to the look of the city. This government regularly crows about how wonderfully clean looking the city is. We know that a lot of areas have been neglected. Why does it take an MLA or persistent representations from the community to try and get things fixed? I refer to Melbourne Avenue. According to local residents, there was long grass in Melbourne Avenue for at least four months before the government was able to get out there and cut it down.

It took a concerted effort by the community and an MLA to encourage the government to take down the CFMEU signs sitting up on Yamba Drive and Athllon Drive. They had been up there for six months. Where are the government's inspectors? Where is the inspection program, the quality assurance program where TAMS inspectors say, "Melbourne Avenue has had long grass for six months; there are some CFMEU signs that have been up for four or five months; we had better do

something about that”? There is no quality assurance. It takes pressure from the community before these sorts of things are attended to. Why is that? I suppose it is because the government likes to save what funding it has got or it just does not have it or it has misspent it. But for whatever reason, these essential maintenance programs are not being carried out on time.

For three consecutive years I have raised the issue of graffiti. I am not going to use the name of the particular graffiti artist, but he is famous the length and breadth of Athllon Drive, and he is still at it. (*Second speaking period taken.*) His tag is still up on public bridges and other government assets along Athllon Drive. Why have they never been able to catch this clever chap? It is because the government has no program other than to provide some funding to clean off some graffiti. Beyond that there is no other government strategy. Canberra is the federal capital of Australia and we should be taking pride in the cleanliness of its landscape, yet recidivist offenders continue to taint our landscape and we see little action to combat that.

Let us have another look at it. We have talked in this place before about a particular community art mural placed on a public bridge next to the Woden cemetery. Firstly, you have to ask: was not that a violation of standards? I am advised by engineers and ex-senior managers of TAMS that it must have been a violation of standards to allow any form of community art mural or graffiti art to be placed on a public bridge. So there is a violation of standards. Secondly—

Mr Hargreaves: Rubbish!

MR SPEAKER: Order, Mr Hargreaves!

MR PRATT: there was a violation of decency. Why would you or your authorities give approval, minister, for a spray-can painted piece of work to be placed on a bridge at the access to a cemetery, the main thoroughfare to a cemetery? It is a failure of standards due, firstly, to a lack of quality assurance; secondly, a lack of pride in the department and the minister to ensure that these things are cleaned up; and, thirdly, simple laziness. This is the federal capital. It is the showpiece capital of Australia and the government is failing to ensure that our urban landscape is clean and well maintained. I am now going to illustrate that, Mr Speaker. I seek leave to table a document.

Leave granted.

MR PRATT: Thank you very much. If you would like copies, the Clerk has copies on his table. I show you a government agency, Cityscape at Braddon. That is what it looks like. It is adorned with graffiti. I walk past that building often, and that graffiti is the same graffiti that was there three months ago. This is Cityscape.

Mr Mulcahy: What does it say on the sign?

MR PRATT: When you dig your way through the graffiti, Mr Mulcahy, it says “providing quality horticulture and cleaning services”. This is the government agency that provides cleaning services. This is the Stanhope vision for a clean capital city. Look at that. The prime agency required to assist in that aim is covered in graffiti, and

has been for a long time. Minister, how many days will it take you to ensure that that is cleaned off, that this agency lives up to its standards and does something? That is a bloody disgrace!

I want to mention libraries and shopfronts. We have talked here many times about the closure of the Griffith library and the failure to consult with that community. We have often talked about a failure of consultation. Decentralisation of our library services is surely fundamental to the good life of Canberra. Studies overseas have proven that if you have libraries built with, at maximum, a five-kilometre radius for people to use those libraries, they will be well used and provide very important decentralised community activities.

Instead of ensuring that we have got those services well and truly decentralised, this government seems to be closing them down and trying to create a centralised service. This is a pretty good library out here, but it needs to be supplemented by a network of decentralised libraries. I hope the government is not going down the pathway of looking at closing other suburban libraries. You have to ask yourself: with the Stanhope surplus this year, why was it necessary to close Griffith library?

I now turn to ACTION. The Stanhope government has failed to repair the damaged transport system. We have seen people in the TWU and other lobbies describing our transport system as perhaps the worst in Australia. I would hope that that is not the case. These are quite damning claims. While funding for new buses, systemic upgrades and interchange and bus security are welcome, it is still not enough. Certainly, in terms of time frames, not enough is being done.

Year after year essential funding was denied to the transport section, which the Stanhope government has allowed to run down to the status of what many people are now beginning to say is one of the worst systems. We see \$8 million for new buses, but this money will just cover the urgent replacement of the part of the fleet that is due to retire in the near future. It will not be sufficient to catch up with the short form of replacement purchases of the last few years. It seems that too often we get stories of buses breaking down. It is thought that ACTION has been about 25 buses behind in its replacement schedule for three or more years, but will still be five to 10 behind even when the 18 or so buses that the \$8 million will purchase over two years are put into play.

The next aspect is security and safety. I recognise the \$445,000 in the budget for on-bus CCTVs. That is very, very welcome, but again overdue. There is additional funding of about \$1.25 million recurring allocated to improving services and securities around interchanges. This still will not be sufficient to ensure an adequate staffing presence, which is much needed to improve the safety of both staff and patrons at all interchanges.

This minister did say in May of this year that he was going to move urgently to improve security at the interchanges because he recognised, rightly, that it was an urgent matter. He did say that he would be moving quickly on this. Yes, we see money allocated in the budget but, no, we do not hear of any immediate action to do something about these interchanges. When will the CCTVs be in place in all of our bus interchanges, and when will there be additional staff working the night shift after last light?

They are the two essential things that need to be done to improve security for our ACTION staff—our transport officers and bus drivers—and our passengers. It is no good just saying, “There is money in the budget for two years; we will get around to it.” There is an urgent need to support staff and to sort our security at these interchanges, not to mention, by the way, the need for a greater police presence at these interchanges. Action is needed now, not in late 2007 or some time in 2008.

The issue of rock throwing assaults on buses has been mentioned in this place. The government has said, “Well, what solutions do the opposition have?” But, of course, instead the government ought to be telling us what solutions they have. The minister said, “Maybe we will have shatterproof glass, but it is going to cost half a million dollars.” Well, do it. That at least is a measure that the opposition would support. Shatterproof glasses on our buses will cost a lot of money, but we now know that there is a growing trend of this behaviour. So, in addition to targeted operations, there needs to be that sort of work done with our buses.

Could I alert the minister to initiatives that have been taken in other parts of Australia about rock throwing and brick dropping assaults on buses and cars? In Taree, they have had a dreadful problem with public buses and cars being hit by rocks. They have carried out targeted operations to arrest the offenders and they have been able—and I hate to use the term—to make an example of those offenders. But, more importantly, the incidents have dramatically reduced and the safety of car drivers and bus drivers is therefore so much better. Isn’t that much better than worrying about whether we should or should not be making an example of people through targeted operations?

Can we ensure that there is better lighting on the Deakin overpass? Can we ensure that within a one-kilometre radius of overpasses on all our major roadways, where people like to drop bricks at 1 am on a Sunday morning, the police and TAMS inspectors ensure that building supplies, masonry, bricks and areas of loose rock are secured and cleaned up? That at least would be a step forward.

These are solutions. I would hate to see us having to go to cages on overhead bridges, but if the trend continues the government will have to look at that. What measures have been put in place? What has the government done to deal with this issue? Like everything else in municipal services, they have failed. They have dropped the ball. They have no ideas. (*Time expired.*)

MR GENTLEMAN (Brindabella) (4.20): I want to respond to comments by members of the opposition in respect of this output class. Firstly, I would like to deal with Mr Pratt’s comment on the Tharwa bridge. The ACT government is committed to the construction of a new concrete bridge at Tharwa. It was always going to be budget linked, and funding of \$9 million was allocated for this purpose as part of the 2007-08 ACT budget. There will need to be a study of the bridge before it goes ahead. The river banks around the bridge area are very sensitive and they will need to be looked after.

The development application for the bridge was approved on 23 August 2007. Design and documentation for the works is close to being finalised and two pre tender industry consultation advertisements have been placed by Procurement Solutions,

who are managing the project, in the *Canberra Times*. The project was also advertised in the *Australian* and the *Age* earlier in July and on 25 August, with plans being made available for the information of would-be tenderers.

The pre tender consultation has generated considerable interest in the industry, with up to eight experienced contracting companies taking out plans in preparation for the public tender. We expect public tenders to be called in early October this year. Tenders will close in late October and be evaluated in November. The contract will be let in December, with the site establishment in January 2008. We expect the construction period to take between nine and 12 months, depending on weather conditions.

Mr Pratt said that it takes 15 minutes now to take the Point Hut detour. In fact, Point Hut was never a detour. It is just an optional road while the bridge has been closed. Anybody travelling from Gordon, as I have done many times, knows that it only takes five minutes. It takes five minutes to travel the Point Hut road from Gordon. I should know, Mr Speaker; I used to live out there.

On other matters, Mr Pratt and Mr Stefaniak raised the matter of graffiti. Graffiti in urban open space is required to be removed within three days of notification. The majority of reported graffiti is removed within 24 hours. Offensive graffiti that is visible and accessible from public land is removed from public property with 24 hours of notification. High-profile public assets in open urban space are inspected for graffiti on a weekly basis. Shopping centres, major roads, bus stops and public assets in low profile areas are inspected monthly, and graffiti is removed at the time of inspection.

Members may recall that last year Mr Pratt made comments about graffiti in my electorate. He said that Calwell shopping centre was covered in graffiti. Members may also remember that I tabled a complete series of photos of the Calwell shopping centre that I had taken that morning showing no graffiti whatsoever. So you have to worry about those sorts of statements. While we are still on graffiti, the Canberra Liberals' website contains a press release issued by Mr Pratt on 14 April 2005. It states:

The problem is the majority of graffiti vandals escape punishment as they are not caught.

The press release also states:

Under section 119 of the Crimes Act a person who defaces public or private property faces a maximum penalty of \$1,000, imprisonment for six months or both.

Mr Speaker, I will table a photo of what appears to me to be an alleged offender under this act.

MR SPEAKER: You will need leave.

MR GENTLEMAN: I seek leave to table that photo.

Leave granted.

MR GENTLEMAN: It is a photo of an alleged offender under this act actually in the process of committing what seems to be an offence. For the *Hansard*, the photo is of Mr Pratt.

Mr Mulcahy: I raise a point of order, Mr Speaker. The Chief Minister, in question time, and now Mr Gentleman are attempting to canvass a matter which the Chief Minister has indicated—

MR SPEAKER: What is the point of order?

Mr Mulcahy: It is a sub judice matter. He has indicated it is being investigated by the police. It is matter that is potentially before the court.

MR SPEAKER: It is not sub judice; it is not in the courts.

MR GENTLEMAN: Thank you, Mr Speaker. I have tabled that photo for the *Hansard*. If we had modern technology, of course, I would be able to send members the YouTube post with the video action happening. In his press release Mr Pratt says:

Under section 119 of the Crimes Act a person who defaces public or private property faces a maximum penalty of \$1,000, imprisonment for six months or both.

I think it is time that Mr Pratt handed himself in to police and paid the fine. He could take some lessons from his leader, Mr Stefaniak. He handed himself in when he committed an offence, and I understand he has paid his fine. If Mr Pratt believed in the law, he would hand himself in to police, tell them he has committed an offence under section 119 of the Crimes Act and pay the fine. He could take the photo if he needed support.

Legal graffiti art sites are mapped and published on the TAMS website at www.tams.act.gov.au. Additional legal graffiti art sites are being considered in relation to illegal use of the area, community support and other characteristics. Consultations are ongoing with a group of graffiti writers regarding the graffiti management strategy. Parks, conservation and lands are using the AUSGR, the graffiti register, to record details, including photographs, of illegal graffiti and report on all graffiti removed under the PCL graffiti removal contracts. Discussions are continuing for ACT Housing to join the AUSGR graffiti register system.

In July, PCL, in partnership with Redlink and the police and citizens youth club ran a series of graffiti art workshops led by a youth worker and an experienced aerosol artist. Workshop participants worked collectively to paint large-scale murals over illegal graffiti on selected sites. Negotiations to run street art workshops until July 2008 are currently underway and have been approved in principle. Street art workshops will include diversionary measures to redirect youth at risk into legal street art applications, such as those used by photographic artists, designers and sign writers in facets of aerosol art. Airbrushing, stencilling and posterizing and associated business

skills, such as art sales and commissioning works are also being looked at. We should congratulate the ACT government, and TAMS, in particular, for the work they are doing on graffiti in the ACT.

MR SMYTH (Brindabella) (4.28): It is good that the minister for sport and tourism has turned up because I would like to make a few comments on that aspect of the Department of Territory and Municipal Services. Before I do so, I say to Mr Gentleman that he needs to be careful when he describes to the house what is contained on the TAMS website. He said that all the legal graffiti sites are on the website, and that is just not true. If you check, you will not find a number of sites that are supposedly legal graffiti sites. Mr Speaker, I know we all need to tell the house the truth, and perhaps Mr Gentleman should go and check the website. The other point is that a number of the sites are not signposted in compliance with the guidelines. So if you are going to have rules, you have to apply them consistently.

The big issue around town today is the approaching date of 1 November, the possible introduction of the next stage of water restrictions and what will happen to our sporting facilities. This budget has a number of deficiencies in regard to sport. Earlier in the year a large meeting was held at the racecourse which the minister attended. At that meeting, the minister said a large capital works funding pool would be available for sports groups to access so that they could drought-proof their facilities. A number of sports groups have looked at the budget and have said to me that they cannot find the money. They got together; they did their work. Within three months, they had prepared their report to give to Actew so that they could look at it. Groups, in particular hockey and soccer, are complaining that there has been no progress on funding. They looked at the budget; it is just not there.

There are bigger concerns than that. On Monday the 13th there was another meeting which groups were asked to attend to hear about progress. At that meeting the head of TAMS, Mr Zissler, talked about a long-term strategy that TAMS is focusing on. It is a five-year strategy. A consultant will be brought in by the end of the year to commence work on a strategy for a master plan for all sports grounds in the ACT.

I think it is fair to say that those at the meeting were delighted that at last the minister was doing something about looking forward. One of the groups asked a specific question of Mr Zissler—that is, if stage 4 water restrictions were put in place and they stopped watering ovals, would Mr Zissler guarantee that all the ovals would be reinstated. The response was that all grounds would be reviewed, but the department would not guarantee that all grounds would be reinstated. They said if they served little purpose—that is, they were dust bowls; and they are going to be dust bowls because there is no water—an alternative use for the space would be considered.

There is an enormous amount of disquiet among all the sporting groups who are looking at their ovals, who are waiting for 1 November to arrive, and who view the government's lack of commitment to bringing these ovals back on line as tantamount to phase 2 by Andrew Scissorhands over there, having regard to what he has done with *Towards 2020*, in knocking off a quarter of our schools. They are afraid that the next document the minister will publish will be called "Towards Oblivion"—the end of sports grounds in the ACT. The minister rolls his eyes and moans and groans, but he can stand up and put the disquiet in the community to rest by guaranteeing that every oval will be reinstated. It is very simple: every oval.

The other commitment that was given was that sporting groups would have access to school ovals. They were asked to do all this work, they have done that, and at this stage many groups are unclear about how they can access school ovals. The government needs to do its bit. The sporting groups are working very hard. They are dismayed at this government's record. Under the Stanhope government and under this minister, the cuts to sport and recreation continue. There is a further cut in funding of about \$600 million this year.

Mr Barr: \$600 million? My heavens!

MR SMYTH: Yes, \$0.6 million—\$600,000. Mr Barr, we all make mistakes. My apologies, but I am glad I have caused you some mirth because you are bringing no-one any mirth. It is \$600,000; I correct the record, as one should when one makes a mistake, unlike the government, which never does so. Previous efforts include cuts to the grants program, cuts to national teams, a 35 per cent cut in staff from the agency, and years of underfunding of ground maintenance. They have even closed the walking track on Mount Taylor. The walking track on Mount Taylor has been there for a long, long time.

Mr Barr: For repair.

MR SMYTH: They closed it because it had not been maintained. There is cost shifting into the community for things like line marking—a very expensive undertaking for some of the small funding bases that our sporting groups have, for something that the government has always done. At the same time, the minister hides behind cabinet-in-confidence, commercial-in-confidence, and will not release things like the mountain bike championship business case. They hide behind cabinet-in-confidence. They repudiate being open and accountable, and they are dumbing down the potential event either because they have no confidence in it or because they want to look good afterwards.

This is the whole point; this is the point that Mr Mulcahy has been making in regard to the Treasury estimates, and we now see it even with events like the mountain bike championship. We are going to spend three times what the New Zealand government spent in Rotorua on their event, but we are going to have fewer visitors, fewer viewers and less air time. So I am not sure why you would draw those conclusions. It is just not credible, or it shows there is an enormous lack of faith in what this government is doing.

It is interesting that one of the recommendations from the standing committee was that criteria for the decisions on how ovals will be picked for closure be made public. Recommendation 55 states:

That the ACT Government provides details of the criteria by which applications for particular sports grounds for exemption from stage 4 water restrictions will be assessed.

The government's response—which is typical—is “noted”. It refers to “general criteria”. “Have we got water, have we not got water?” That is a general criterion. It stated:

The general criteria utilised to assess priority rankings was presented in an industry meeting on 13 August 2007.

Everybody is saying to me that they do not understand the criteria because they are so vague. Michael Costello undertook to provide me with a document. He said, "Yes, we have criteria," but I have not seen anything. Yes, some material has been provided but it does not look like a set of criteria. In its response the government went on to say:

The criteria for the level of exemption to be granted will be determined by ACTEW and made public at ACTEW's discretion.

So we are back to the 36 faceless men. The government is not even going to make the decision; it is going to wash its hands, just as we see Mr Corbell doing with the ESA: "Oh, the government doesn't make bad decisions. Independent agencies do." So the bogeymen in this will be Michael Costello and Actew, because the minister, Andrew Scissorhands, is too weak to stand up and say, "These are my decisions." How does Actew know what sporting groups need? How does Actew determine what the community needs? Actew will determine it simply on what water it has got. We need to make decisions as a community, led by the government because it is in charge, and it should make sure that we get it right. It is appalling. What was this government elected to do? It was elected to make decisions and to govern. But it gives that responsibility away because it is afraid. We have seen it on ESA, with Mr Corbell trying to say, "The agency did it." It is not true.

Mr Mulcahy: It is the teflon approach.

MR SMYTH: It is the teflon approach, Mr Mulcahy; you are absolutely right. My concern is that, from the minister who gutted the education system in the ACT with *Towards 2020*, we are going to get "Towards Oblivion" or "Towards the Dust Bowl". We are going to see the running down of our sports facilities because the government just does not care.

If we turn to page 99 of budget paper No 3, we see that things actually have to fall down before this government will fix them. There is an initiative on page 99 of budget paper No 3 headed "Canberra Olympic Pool—Replacement of Air Dome". If you looked at that and saw the \$2 million figure, with \$200,000 in the outyears, you would think, "Thank God, the government is finally going to do something about the DUBY dome." But you would be fooled because no, it is not. You have to read the fine print:

This project is for the expected replacement of the existing air support structure, which is approaching the end of its useful life ...

There is no spending commitment here. Again, if I am wrong, I am happy for the minister to stand up and say the contracts are being signed now, and that it will happen in this financial year. My bet is that it will not happen in this financial year because of the commitment stated there.

We then have the strange juxtaposition of the next capital works project, which is headed "Canberra Olympic Pool—Future Options Study". So we are going to fix it and then we are going to have a study; or we are not going to fix it and we are going

to have a study; or we are going to fix it and have a study. I do not know how that works but surely one would have looked at what was needed in terms of the Olympic pool and the swimming community and one would have talked to ACT swimming, because an enormous number of people are concerned about this pool.

I know people who work there who say that bolts drop out of the roof while people are swimming. So we are going to have an “expected replacement”. Again, if the minister wants to jump up and tell me I am wrong, I will be happy to hear that, and I will get up and apologise, unlike those opposite.

Mr Barr: Get used to that.

MR SMYTH: You can give me leave to apologise; I will be happy to do so, Mr Barr. But the problem here is that there is no commitment to sport and recreation in the ACT. (*Second speaking period taken.*) It would be great to see two real commitments from the minister: firstly, that all ovals will be resurrected after the stage 4 restrictions are lifted; and, secondly, that something will be done with the pool. I do not believe that anything is going to happen because they do not have the wherewithal.

The other thing that the minister might do when he gets to his feet is to tell us whether he will ever apologise for misleading the public accounts committee over athlete numbers. He signed a brief in early November.

Mr Hargreaves: Mr Speaker, on a point of order: is it appropriate for Mr Smyth to indicate that the minister has misled the public accounts committee? That was a direct statement.

MR SPEAKER: That needs to be a substantive motion, Mr Smyth. Withdraw it.

MR SMYTH: All right, I will withdraw it. The minister needs to tell us why he told a committee on 30 November that the decision has not been made when there was a brief signed by him two weeks earlier, saying they were going to cut the number of scholarships to 150. He knew, he did not tell the committee, and he should come down here and act in accordance with the worthless document that is the Chief Minister’s code of ministerial conduct. Maybe Mr Barr will be brave enough to come down and validate the document, and actually show that there is some proof. He did know. The brief says: “This is to confirm the verbal briefings you have in your agreement to reducing it to 150.” That is not what he told the PAC, and he should come clean on it.

In regard to tourism, it is the same old story from this government. We have seen an enormous lack of attention to tourism in this city. There was a press release yesterday announcing some more grants—that is fabulous; that is the grants program—but all of that has been cut, and we know it. It has all been cut but it is hidden, and it is going to become even more hidden and convoluted because tourism is about to disappear from the budget papers as from next year. It will all be combined into enterprise services, and trying to pick out how much is actually being spent on tourism, and what is real tourism as opposed to facilities that might be visited by a tourist is going to become obscured.

We have this ridiculous notion in the budget papers this year, on page 285 of budget paper No 4, of funding for tourism this year going from \$6.2 million to \$24.8 million, an increase of \$18.6 million. That is absolute nonsense. The notion that you can wrap in things like sporting facilities and say that it relates to tourism just goes to show how desperate the minister and the government are.

The industry needs to have a good look at page 324 of budget paper No 4, because that is the last lot of financial data on tourism that this government will produce. No operating statement for tourism in 2007-08 will be published in the budget papers. So from this point on, again under a Stanhope government that promised to be more honest, more open and more accountable, we will not be able to identify the details of spending by this government on tourism. It is yet another example of the Stanhope government reducing opportunities for ordinary citizens, industry and the Assembly to scrutinise its activities. It is reducing openness and accountability.

We know the figures are not correct. We know that \$24.8 million is not being spent directly on tourism. It took some weeks of questioning in the estimates committee before the minister set out the correct situation, with the changes to funding from last year to this year. So this industry, tourism, which in April 1998 the Chief Minister, as Leader of the Opposition, identified as one of the industries that deserved to be supported, one of the industries that was ideally suited to this city, is now just the poor cousin.

Industry and the economic base of the ACT will continue to be the poor cousin until the government realises how integral this industry is to the ACT; indeed, how easy it is to monitor the effect of tourism spending. Access Economics did it for you in 2003-04, Mr Barr, if you have not read the report. It was a great report that showed the industry returned about \$6 for every dollar that you invest. So if the government is cash strapped, it should invest some money in tourism and get a return.

We see the continual chipping away at tourism after the major funding cuts in 2006-07. We are now incorporating tourism with other functions, so that the capacity to evaluate it is diminished. We are reducing capacity to assess, and this is all happening at a time when funding for promotion and marketing has been cut by about \$4 million, staffing has been cut by 50 per cent, we have lost our corporate memory on tourism, and we have lost our focus on key sources of tourists.

The minister has said we are not going to go after tourists from, for instance, China. We have just given up on the China market—that small country to the north of Australia with a billion people. This is really sad, because in the March quarter 2003-04 there were 170,000 international visitors to the ACT. In the March quarter 2006-07 there were 153,000 international visitors to the ACT. Yes, that is right, Mr Speaker: a reduction of 17,000 people. And this is the minister who says the numbers are doing well. Well, they are not doing well. They are not back to the 2001 level. He will say, “Yes, but that was the effect of the Olympics.” The Olympics were in 2000; 2001 was a good year and the numbers since this government came to office have gone down. They have bottomed; they are coming up a little bit but they are nowhere near as good as they were.

We have turned away from potentially the largest source of tourists in the world, China, because it is too hard; because they want to come in groups. The government should work out how to look after them, because as China opens up as a market, as it is doing, as it will do and as it will continue to do, we want to build a relationship with China but we do not want their tourists. What sort of message is that, Mr Speaker? Wouldn't it be more appropriate to try and develop an approach to meeting the needs of Chinese tourists? The latest ABS data shows that the number of visitors to Australia from China actually grew by 20 per cent in the year to 30 June 2007, from 150,000 to 180,000 visitors, yet we are turning our backs on it.

We need to look at infrastructure issues; we need to look at road access issues. I noted this morning that the NCA was saying, "Let's have pay parking in the parliamentary triangle." Mr Pratt, on behalf of the opposition, has said, "We want a review of all parking across the territory," and that is appropriate because we need to know where it is appropriate to put parking. With respect to the parliamentary triangle, we know that almost 70 per cent of our tourists come by car. We are a road destination; they like to bring the family and park their cars, so we need to make sure that we get it right. If we do not, and particularly if we make parking harder and more expensive for them, they will not stay. We want them to stay, we want them to stay longer, and we want them to feel welcome, so that they will fill our hotels, restaurants, attractions and shops. We will lighten their wallets for them before they leave, which will provide jobs and investment here for the people of Canberra. It is a great story but we are not telling it.

In budget paper No 4, under "Tourism", we see that one of the things the budget is meant to do is "the creation and implementation of a range of marketing and development programs to promote tourism and major events held in the ACT". I look forward to that happening. It is pretty much the same quote that was contained in the budget papers last year. It did not happen last year; last year we lost half the staff and all of the corporate memory. It did not happen and it needs to happen. For instance, I note that yesterday the minister announced some funding for the balloon fiesta. I am sure they are grateful for it, but the balloon fiesta has the ability to become the autumn anchor for the tourism industry. Let us face it: Floriade covers the spring end of the year, winter is a bit interesting for Canberra given the cold weather, while autumn is a beautiful time of the year. A significant event that attracts people, ideally in the first week of the school holidays, which is when the balloon fiesta is held, should be supported by the government. I believe it needs to be supported in a great—

Mr Barr: We are the largest cash sponsor.

MR SMYTH: Yes, you are, but I know they have spoken to you and I know they have asked for more. It used to be a nine-day event, and a nine-day event is needed so that the international balloon pilots can bring their balloons here. Given the vagaries of the weather, with the four-day event that we have, if you do not get some good ballooning weather, you can bring a balloon here from America or Europe and not fly the thing. They say it needs to run for about a week. It used to last for about nine days, and it should be nine days again. I know some submissions have been received from various areas, and I acknowledge, minister, that you have given some money, and I know they are grateful, as I am. I think the tourist community will be grateful because it represents a start, but we need to have a calendar of events, in line with the

statement on page 285 of budget paper No 4 about “the creation and implementation of a range of marketing and development programs”.

I think there is a great opportunity to secure a significant event for the first half of the year. There are some very special events such as the folk festival and the multicultural festival. The folk festival is saying that they are now pretty much at capacity at EPIC, and that is a good thing. They have built it up over the couple of decades that it has been going. Of all the events, I believe the balloon fiesta has a significant future, and I ask the minister to support it. (*Time expired.*)

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (4.48): I have observed in recent times Dr Foskey giving us lectures on courtesy. I also recall in this debate her giving the government a serve over the abandonment of people in Tharwa, which Mr Gentleman has successfully put to rest this afternoon. But she was not in the chamber to hear Mr Gentleman’s update on where the government is at in that regard. But I will deal with the Tharwa issue a little later.

I will make a couple of very quick points to correct the record regarding what Mr Pratt said. He got into the government for not providing enough money with respect to the storm damage to drains. I think the Chisholm drains were the example that he gave. If Mr Pratt had half the wit that we would expect of him, he would have known that there might have been an insurance policy covering these things. Therefore, if there is insurance coverage of this major piece of infrastructure, there needs to be an insurance assessment and an assessment of priorities, and all of that was done. So it is covered by insurance, and Mr Pratt has not tweaked to it. If he has tweaked to it, he has not done the courteous thing and acknowledged it.

Mr Pratt also displayed his absolute ignorance of budget composition by saying: “I can’t find footpath maintenance in it; I can’t find it in here. Maybe there’s something on page so-and-so of the book here but I can’t find it there.” Why is that? Because it is in the base budget and it always has been. If Mr Pratt had a genuine need to find out how much it was, all he had to do was ask and I would have been happy to provide the information.

He then said we were really terrible because we did not mow the long grass in Melbourne Avenue. Shadows of former ministers for urban services! This is what happened regarding Melbourne Avenue: the grass was indeed long, and the reason was that only half of it was mowed, and that was because the crew were asked to go elsewhere. There is a normal mowing program; it was on the program; they were halfway there and then there was an urgent requirement for fire mitigation. The crew went off to do it and then they came back. And I point out that they actually mowed the grass, as part of the normal program, one or two days before Mr Pratt put out his press release saying that we had not mowed the lawn. I have to thank him very much for the entertainment and the sound of massive guffaws coming out of Macarthur House as a consequence of that.

He also had a go at us over the bus rocks issue. “You have not done anything,” he cried from the rooftops. We said to him, “What would you do?” He said, “It’s not up to me; it’s up to you.” He is supposed to be part of an alternative government, isn’t he? How about coming up with some ideas? All he does is whinge.

One of the things we do is to give the police free bus travel, whether they are in uniform or not. We hope that they will use their powers of observation and arrest if they get a chance to do so. We also had a media campaign to try to get the public to be more aware of the issue, so that they could give us information to effect these arrests. And what did it achieve? Copycat; we had more of the stuff. We put shatterproof glass on the front windows of buses and we are now looking at putting it in all the bus windows, at a cost of around \$500,000. We have done something. This is a scourge which plagues Australia. It is one of the most difficult things to detect and to arrest people for, but we have been proactive about it and I do not hear anything from Mr Pratt on it.

The commitment of the Stanhope government in the 2007-08 budget to the people of Canberra and their future is no better demonstrated than in the substantial funding boost to fundamental urban infrastructure services. This budget is strategically aimed squarely at improving our public transport, the amenity of our city, our roads and our landfill and waste management systems. The government is providing substantial funding for new roadworks and infrastructure in 2007-08 to meet the demands of an expanding community and overall safety. We are putting \$1.2 million into the Southern Cross Drive extensions. An amount of \$110,000 is earmarked for some work around safety improvements on the Kings Highway, due very much to the dangers imposed by the construction of the defence headquarters.

An amount of \$3.4 million has been allocated for the duplication of Athllon Drive. I asked Mr Smyth to do that when he was the minister; he did not do it, and I have delivered it. We have allocated \$100,000 for restoration options for Majura Road. Six thousand vehicles a day used it in 2002; the figure now is 16,000. We need to have some work done on that, so we have allocated \$100,000. An amount of \$700,000 has been allocated for major improvements to the Cotter Road. There has been no recognition of that from Mr Pratt.

With respect to connecting the new suburbs of Franklin, Crace, Forde and Bonner, we have allocated \$14.7 million for new roads. We have put \$15 million into the Canberra airport road refurbishment. We are aware of those difficulties and we have taken the lead; we have put \$15 million on the table and said to the commonwealth, "Come to the party and match it by 50 per cent." We will see what they say but I am not sure that we will see anything.

I draw members' attention to another critical area of the budget—that is, the general amenity of the place. We put \$9.2 million into the look and appeal of the city; \$755,000 has been allocated to improve streetscapes, public seating, garbage bins, replacement of bollards, construction of a new shade structure in Garema Place, and a new footpath between City Hill and London Circuit. And public artwork associated with these works will be commissioned, no doubt to the horror of the would-be minister for no arts.

An amount of \$3.25 million has been provided to upgrade the Ainslie, Garran and Melba shopping centres, as part of a wider shopping centre refurbishment program. Mr Pratt has no idea about program scheduling; he has no idea about the application of resources. He just says that we should be doing it all in one go. This bloke is really clever!

Canberra is renowned for its attractive streetscapes but the drought has played havoc with our trees. Over 1,000 of them across the city have been either damaged or destroyed by the effects of the drought and, as a result, more than \$1.5 million will be spent over three years to maintain young trees and remove hazardous and dead ones. Over 2,300 dead or drought-affected trees are to be removed from within the urban area alone. New trees will also be planted in suburban streets, laneways and parks. Of course, we will be watering developing trees using non-potable water, to help to ensure their survival during drought conditions.

The government's focus on maintaining and improving our fantastic parks, playgrounds and public open spaces is demonstrated by increased maintenance funding of \$5 million over four years. In addition, \$2.2 million is allocated to upgrade local and district parks across the territory, at Yerrabi Pond, John Knight park, Glebe park, Lennox Gardens, Edison park, Fadden Pines and Point Hut Pond park. Playgrounds will be improved in Belconnen, the inner north, Oaks Estate, Woden and Tuggeranong. New fitness trails will be developed at Edison park and John Knight park and a flying fox will be erected at John Knight park. That is a lot of investment in the social infrastructure of this town.

Our commitment to car parks, which these wailers keep going on about, can be seen in the \$1.5 million we have allocated for construction at Woden, and a temporary car park is being established at Acton at a cost of \$2½ million. Two new dog exercise enclosures are to be constructed in north and south Canberra, with fully fenced facilities and seating and with short exercise courses for pets. These measures add to our reputation as one of the best-kept places in Australia.

I turn now to public transport. Let me remind members opposite of this government's \$8 million investment in this year's budget in improving public transport, with over \$6 million in capital funding and \$2 million in recurrent funding to increase security, enhance the network and improve the quality of the ACTION fleet. This is additional money, over and above the normal replacement program. I do not hear any recognition from those opposite of the fact that this is costing us over \$1 million a week. There is no recognition from those opposite of the fact that we have incredible patronage of the inner town routes and next to nothing in the early morning and early afternoon routes in the suburbs. Out of 88 routes tested on a Saturday morning between seven and eight in the morning, 77 of them had no passengers on them at all. Do I hear any suggestions from those opposite as to how to address that? Short answer: no. They just say, "Throw more money at it; do more things." (*Second speaking period taken.*)

MR TEMPORARY DEPUTY SPEAKER (Mr Gentleman): I remind members that it is almost 5.00 pm and we still have 13 output classes to go.

MR HARGREAVES: I do not hear any suggestions from these people about how to fix this. They do not recognise that we have undertaken a massive consultation process with the community. We are putting on enormous numbers of extra buses, at \$500,000 each. We have also done new computer modelling. And that is still not good enough for those opposite.

Mr Pratt: You are still 10 behind on replacements.

MR HARGREAVES: We should add up and see how much money you are going to chuck into this, because I have a feeling you are going to be knocking on John Howard's door to get into his war chest.

Another issue that goes to the heart of our infrastructure challenges is the number of ageing stormwater systems, particularly in north and south Fyshwick. The existing infrastructure within this city was constructed in early 1970. The government supports the infrastructure needs of the business community because at the moment it can only accommodate minor storm events. We have to do something about it. We have allocated \$3.8 million in the budget to remedy this difficult challenge.

I turn to Tharwa—something that is dear to Mr Pratt's heart. Special mention needs to be made of rural ACT. It should be remembered that we have estimated the cost of the bridge to be \$9.5 million, to be completed at the end of 2008. At this point it is important to note that, in the dissenting report—and I ask people to listen very carefully to this—

Members interjecting—

MR HARGREAVES: I am quite serious about this, and I would not laugh too much if I were you. At this point it is important to note that, in the dissenting report of the estimates committee, Mr Stefaniak and Mrs Burke alleged—and I quote from that report:

... there has been Commonwealth assistance on offer to erect a ... low level crossing ... This offer of assistance has not been taken up by the Stanhope Government.

Mr Pratt: Well, we know that.

MR HARGREAVES: I would like Mr Pratt to confirm—he can do it by interjection—that he knows the commonwealth made an offer of assistance.

MR TEMPORARY DEPUTY SPEAKER: No, we will not have interjections, thanks, minister.

MR HARGREAVES: No, we will not. If he has any sense, he will not. There is no substantiation in the report of such a claim, nor is there any discussion in the main report of the issue of a low-level crossing at Tharwa. There is nothing in it.

Mr Pratt: This is the report—

MR HARGREAVES: Hang on to your hat. One can only assume that any evidence shown to Mr Stefaniak and Mrs Burke was not shared with the rest of the committee. Why do you think that is, Mr Temporary Deputy Speaker? It is because the supportive evidence does not actually exist. The assertion from Mr Stefaniak and Mrs Burke actually misleads the community in this regard, and I am considering seeking further

advice as to whether this constitutes a misleading of the Assembly. The evidence Mr Pratt might point to—

Mrs Dunne: Put up or shut up. Write the letter or not, but don't be a "gunna".

MR TEMPORARY DEPUTY SPEAKER: Order, Mrs Dunne!

MR HARGREAVES: in order to rescue his colleagues is a letter he received from the commonwealth Minister for Defence, Dr Nelson, in January this year.

Mr Smyth: Oh, so you're aware of it!

MR HARGREAVES: The letter from Dr Nelson outlines five options which may be available, which guarantee no definite outcome, which make no outline of cost to the territory, no indication—

Mr Smyth: So it is on offer?

MR TEMPORARY DEPUTY SPEAKER: Order, Mr Smyth!

MR HARGREAVES: of timelines and no indication of environmental impact. However, in the words of Dr Nelson—

Mr Smyth: But you are aware of it. Have you misled the house?

MR TEMPORARY DEPUTY SPEAKER: Order, Mr Smyth!

MR HARGREAVES: "It is not possible to make a firm commitment to assisting the community of Tharwa with their bridging difficulties." In relation to the out-of-service bridge, Dr Nelson indicated, "If the capability has not yet been disposed of, it may be possible to give the bridge to the town."

Members interjecting—

MR TEMPORARY DEPUTY SPEAKER: Order, members!

MR HARGREAVES: There is no guarantee that such capability exists, but Dr Nelson also says, "However, this bridge can be difficult to build." There is absolutely no guarantee other than a difficulty to build a bridge which may or may not exist.

Mr Pratt: Everything in life is difficult.

MR HARGREAVES: Now, I ask you, Mr Temporary Deputy Speaker: since when did a series of options constitute—

Mr Smyth: So you are aware of the offer?

Mr Pratt: What about the offer?

MR TEMPORARY DEPUTY SPEAKER: Order! Mr Pratt, I understand you are already on a warning from before. Mr Smyth, I have called you to order twice.

MR HARGREAVES: Since when—

Mr Pratt: Just on a point of clarification, Mr Speaker: I do not believe I am on—

MR HARGREAVES: You don't want to hear it, do you? You are embarrassed.

Mr Pratt: John, sit down.

MR TEMPORARY DEPUTY SPEAKER: Order! Mr Pratt, direct your question to me.

Mr Pratt: I shall. The point of clarification is: no, I am not on a warning today.

MR HARGREAVES: You are also not tossed out today. Since when did a series of options constitute an offer? Have the Leader of the Opposition and Deputy Leader of the Opposition embarrassed themselves by making this comment in the dissenting report or has Mr Pratt dropped them in it? Also, Mr Pratt, in his letter to me, does not describe the letter as an offer but he exhorts us to submit a formal application on behalf of the Tharwa community.

Mr Smyth: Oh, okay.

MR TEMPORARY DEPUTY SPEAKER: Mr Smyth!

MR HARGREAVES: Also, in dismissing environmental issues such as the degradation of the banks of the Murrumbidgee and the environmental flow of the river, he says that "such considerations would need to be rapidly assessed and resolved". That is code for "tell them to ride right over the environmental concerns".

Members interjecting—

MR TEMPORARY DEPUTY SPEAKER: Order, members!

MR HARGREAVES: There is no offer, and no consideration of the cost to the taxpayer of around \$2 million.

Mr Smyth: Andrew, save us! Stop him!

MR TEMPORARY DEPUTY SPEAKER: Order, Mr Smyth!

MR HARGREAVES: There is no consideration of the time it would take to have a crossing built, and no consideration of the environmental concerns. Mr Temporary Deputy Speaker, I table the following letter from Mr Pratt to me, which includes the letter from Dr Nelson to Mr Pratt:

Tharwa Bridge—Copy of letter to Mr Hargreaves from Mr Pratt, dated 14 February 2007, including attachment.

Mr Pratt: I was about to, actually. I was about to table them.

MR TEMPORARY DEPUTY SPEAKER: Order!

MR HARGREAVES: Not good enough, thank you.

MR TEMPORARY DEPUTY SPEAKER: Order! Minister, take your seat for a moment.

MR HARGREAVES: Mr Temporary Deputy Speaker, I need—

MR TEMPORARY DEPUTY SPEAKER: Order! Take your seat for a moment.

MR HARGREAVES: I am running out of time for this rabble.

MR TEMPORARY DEPUTY SPEAKER: Mr Pratt, I have spoken to you three times now. Next time I will warn you.

MR HARGREAVES: Mr Temporary Deputy Speaker, I need to correct the record regarding this claim by Mr Pratt on 15 February this year when he said that he had provided this information—that is, the detail in Dr Nelson’s letter to the ACT government. He did not. I sought a copy from his office last week and, to their credit, they gave it to me. But this was the first time I or my officers had seen the letter from Dr Nelson. Mr Pratt should correct this misleading of the community by apologising for spreading a falsehood.

While the Stanhope Labor government will never lose sight of the main game—by that I mean the object of building sound economic foundations—what must be remembered in this budget are those in our community who are disadvantaged, and we are doing a lot of work around that. These folk ought to find out whether that letter constitutes an offer, because the dissenting report actually calls it an offer. I am going to take some advice on this and if there has been a misleading of the Assembly I am going to do something about it. And I will do something about Mr Pratt as well. We will see; I do not know whether he is breaking the rules or just being stupid but it is a conspiracy—

Mr Smyth: No, you are the one being stupid.

MR HARGREAVES: I am going to go with stupid.

Mr Smyth: Stupid is as stupid does.

MR TEMPORARY DEPUTY SPEAKER: Order, Mr Smyth!

MR HARGREAVES: In the budget you will find money for the liberty swing at Black Mountain Peninsula—a swing for disabled kids who would not otherwise experience the simple delights of a playground swing. There is \$210,000 allocated for that. In addition, \$50,000 has been allocated to design and construct a jetty and associated facilities for use by Sailability—again, some assistance for the disabled

community. We have put a lot of money and a lot of effort into our no waste and recycling projects. An amount of \$120,000 is allocated for planning for remediation and rehabilitation of the former Belconnen landfill site and we have similarly developed a master plan for the Mugga Lane landfill facility.

These folk would do well to examine what they have said in their press releases, what they have said on the record in the committee, and in the dissenting report to this chamber. They need to be absolutely right. You can call it semantics, you can call it pedantry, you can call it what you like; but if the result, through inadvertence or deliberate action, is a misleading of the Assembly or a committee, that is a serious offence. I will be asking for some advice very shortly on whether that has been constituted. I do not mind being hit up for a policy or something that I have done but I do mind being criticised when there has been a blatant misleading of the committee. *(Time expired.)*

MRS DUNNE: (Ginninderra) (5.08): It is interesting that members of the government have decided to take the afternoon to attempt to slap people down. I notice that you, yourself, Mr Temporary Deputy Speaker, made a fairly limp attempt to try to slap people down in asking Mr Pratt, in relation to the Justinian Street graffiti, why he did not go and hand himself into the police. In fact, as we all know, Mr Pratt did go to the police very soon after the incident because there was some doubt about the legality as to whether or not this was a legal graffiti site. He went also because he was advised that the police were investigating the matter; he went to give a statement. On that basis alone, Mr Gentleman should apologise: he implies that in some way Mr Pratt is some sort of skulker who will not face up to the issues.

Mr Mulcahy: He misrepresented the matter.

MRS DUNNE: He may not have misrepresented the matter, Mr Mulcahy; he may have been simply ignorant of the facts. He also raised the issue—and this is common knowledge—about the website. Mr Pratt and his staff did interrogate the website before the graffiti cleaning events in early April. That is common knowledge. I have a copy of the website that was downloaded at the time—this one was actually downloaded on the Monday after the events—to confirm what was done. I seek leave to table the paper.

Leave granted.

MRS DUNNE: I thank members. I table the following paper:

Community art murals and legal graffiti sites—Listing of sites, together with extract from the Department of Territory and Municipal Services' website, dated 17 April 2007.

The paper is a list of the community arts murals, legal graffiti art sites and community arts murals. They are all here. This was all inspected beforehand and there was no sign of the subject or the area being on any of these lists. There is also an understanding that bridges are not an approved zone for graffiti. At the very least, Mr Gentleman does not keep up with what has actually been going on in this discussion but is pretty keen to come in here and sling some dirt.

Then we have the mock outrage attack from Mr Hargreaves, which amounted to a gunna: “I am gunna do something about it but I am still seeking a bit of advice.” If members are going to come in here and say that members have misled the community or implied that in some way, through either negligence or malfeasance, members of the estimates committee misled the Assembly in their dissenting comments, they need to have a bit more substance to their arguments than he did. The idea “I might do something but I am still seeking advice”, some six sitting days after this came to his attention, is a bit on the thin side. And there are some bits of the letter that Mr Hargreaves tabled that he did not read out.

Mr Hargreaves: Let’s hear it. I’ll put it up—

MRS DUNNE: At no stage has anyone said, “This is an equivocal, ironclad guarantee that our boys in green are going to come in and build a Bailey bridge.” No-one has ever said that. But there were offers. This is the offer:

With the advice available, it is not possible to make a firm commitment to assisting the community of Tharwa with their bridging difficulties. However, there are a number of options—

which Mr Hargreaves read out. The letter continued:

The community will need to consider the options then formally apply for the option that best suits the town. The ADF may be able to support ...

I understand that Mr Pratt wrote to Mr Hargreaves and suggested that he could write to Dr Nelson and make an application for some assistance from the Department of Defence. I think that has not actually happened.

While Mr Pratt has been out looking after the people of Tharwa and doing the best he can to look after their needs, all we have here today is a feeble attempt. We have a fairly extensive letter which includes the notion that the community—in this case, that is the ACT government—could apply to the defence department for assistance. Whilst there is no guarantee that assistance would be forthcoming, we do not see that this government has even had any discussions with the Department of Defence. We have this mock outrage from Mr Hargreaves, but he really has not done his homework. He thought that he had a really good one and he was going to get somebody on toast.

Mr Pratt: You’re grasping at straws, John.

MRS DUNNE: Mr Pratt is quite right: on this one he is grasping at straws.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (5.13): In speaking to my parts of the territory and municipal services budget, I would like to take the opportunity to highlight a number of, I believe, very important initiatives that have been funded through this budget.

In particular, I would like to draw all members’ attention to the support for our Olympic athletes as they head off to Beijing in 2008. About a month ago, I had the

opportunity to attend breakfast with the athletes and was able to provide some additional cash assistance for them as they begin the countdown to Beijing. It is less than a year away now. It was tremendous to see the number of athletes from the ACT who will be participating, with our support, in the Olympics and in the Paralympics. That was terrific.

The budget contains just short of \$11½ million worth of new initiatives in the sport and recreation area. In particular, there is just short of \$4 million in funding for the Harrison district playing fields. When I was out at the new and very rapidly developing Harrison primary school last week, I had the opportunity to have a quick look at the progress on the playing fields. It is terrific that we are able to partner with ACT Cricket to see a fantastic facility being developed for the people of east Gungahlin.

There is \$250,000 for the fencing of Griffith oval, an important community asset and one that the Brumbies undertake their training on. We are putting a perimeter fence around that to stop people driving their cars on the oval, hitting golf balls or taking their dog for a walk—so that we can maintain that as a premier training facility for the Brumbies when they are in town in the first part of the year. But it is also to maintain it as a quality sporting facility.

Mr Smyth made mention of additional funding that is available for the refurbishment of the Lakeside Leisure Centre and the Olympic pool. Again, there is welcome funding in those areas. And, of course, as part of the regular capital upgrade program there is \$1.1 million to upgrade our sporting facilities.

Whilst on the subject of the sport and recreation budget, I would draw members' attention to the sport and rec budget in 2006-07—budget paper 4, page 297, \$15,648,000—and 2007-08—BP 4, page 284, \$18,695,000. There are one-off factors that affect the sport and recreation budget. For example, last year we provided an additional \$500,000 for sportsgrounds and \$300,000 for equipment replacement for the academy of sport. And there were some fairly minor corporate changes, in the order of about \$200,000, in relation to corporate expenses within the sport and rec area of the department. So there are fluctuations from time to time. But overall it is a good budget for sport and recreation.

In terms of sports funding, there will be \$2 million available in the sport and rec community grants program, \$450,000 for the national league team program, and a further \$2.1 million in performance fees—for the AFL, \$276,000; the Brumbies, \$700,000; and the Canberra Raiders, \$1.125 million.

When we look at the organisations that have been funded through the sports grants, it is pleasing to note that the number of organisations that received annual funding through the sport and rec grants process increased in 2007, from 22 to 28. It was more than the 25 that were funded in 2005. The number of organisations with triennial funding was maintained at 32. We were able to see five additional capital projects funded in 2007—with 22 projects, up from 17 in 2006. Overall, 83 per cent of applications to the sport and rec grants process were funded in 2007—up from 78 per cent in 2006 and 69 per cent in 2004.

Through the funding for the Harrison district playing fields and our partnership with ACT Cricket, we are going to see an expanded pavilion, public toilets, a canteen, storage, cricket practice nets, 200 car parks, fencing and landscaping as part of this major sport and recreation precinct for the people of Harrison. Through the partnership with Harrison primary school and the associated neighbourhood oval that is part of this overall facility, it is important that we are using drought-resistant grass and tank and pump systems, and that as much of the surrounding playgrounds and areas of Harrison primary school as possible are able to be watered using grey water from the school. That is an important initiative.

I turn to swimming pools. Mr Smyth asked why we would have a feasibility study into future aquatic facilities in the city and then also make provision for replacement of the dome. The answer to that question lies in a meeting that Mr Smyth and I had some time ago when I was a few months into the tourism portfolio, when he presented a particular proposal in relation to expanding convention facilities for the territory. The proposal that he put forward was a relocation of the pool—to move it from its existing site to another site to accommodate an expanded convention centre and hotel facilities.

As part of an overall planning study and an assessment of where the appropriate places are for a convention centre and a swimming pool in the city, this is part of the broader consideration. The National Capital Authority, through the Griffin legacy amendments, and the federal government direction appear to indicate that any commonwealth support for a new convention centre for the ACT would need to have it located in West Basin. That does appear to be the commonwealth's position.

Mr Smyth: No, they have got another report. They have got a new report.

MR BARR: They have, yes. I understand that there is further debate to be had on that. But the important work that we need to undertake is to assess the full needs for a city aquatic centre. There has been a call for a facility of the standard of what is available in CISAC at Belconnen. Obviously, that will cost more than \$2 million. However, I believe that we have a pressing need to look at the dome that is currently over the existing swimming facility. The question concerns having that provision there to replace the dome but also looking at what the longer-term needs may be.

Even with the best case for a new convention centre we are looking at about 2013 before it would be able to be opened. The question we will have to answer—this is part of what is going to be addressed through the studies—concerns what you would do in terms of swimming facilities in the lead-up to a new convention centre. If the convention centre is going to be in West Basin, we would need to redevelop or reinvigorate the facility that is available in the city at the moment on its current site. And there are heritage issues at play here.

We need to consider all of those things. We also need to look at the design of a future dome. We would not want to replace what I think most people would agree is the particularly unappealing dome that Mr Duby supported when he was minister many years ago. It might be able to be taken down or opened up a bit more in the summer months: people quite rightly argue that through the summer months it is not a particularly pleasant experience in the pool.

We need to look at what the options are in terms of replacement of the dome. It was prudent to make the provision for a replacement of the dome and also to undertake a piece of work into future aquatic provision in line with a number of other pieces of the puzzle that have to fall into place, rather than waiting until the next budget to free forward \$2 million if the decision is—and it may well be determined very shortly, depending on what happens in the federal election—that the convention centre is going to be in West Basin if there is to be a convention centre, and I am 99 per cent sure that that is what is going to happen.

I believe that we will need to rejuvenate facilities in terms of the swimming pool on the existing site. That is my sense of the direction of the current debate and the views of the NCA. Unless there is a major change of heart from the incoming Rudd government or, by some fluke, the Howard government is re-elected and changes its mind, I think that we are looking at needing to redevelop the swimming facilities on the city site.

Mr Smyth raised the issue of ACTAS. I am pleased to be able to provide a full response. I did make one mistake, and I apologise to the Assembly. In the hearings of the public accounts committee, I confused the number of athletes that the Tasmanian academy of sport has with that of the Northern Territory academy of sport. The Northern Territory has 150 athletes in its program; Tasmania has 103. I got them round the wrong way, and I apologise. I corrected that in the next hearing, when I got them around the right way. But the point I was making was this, and I need to quote from the *Hansard* of the committee at that time, on 30 November. Mr Smyth asked me whether I had finalised the numbers. (*Second speaking period taken.*) I said:

I am seeking to ensure that there is thorough consultation with those sports. I am sure you would be criticising me if I sought to make an arbitrary decision in advance of that consultation. We are working with each of the sports. Obviously, with a number of team sports we can look at the size of the squads in each of those sports.

The questioning continued:

MR SMYTH: Is there a target?

Mr Barr: I would not say there is an absolute target, but I am conscious of looking at how we equate with similar sized jurisdictions. There is the Tasmanian model, where they provide a significantly larger amount of per capita assistance to their athletes than we do. They have around 150 in their program.

That was incorrect: it was the Northern Territory that had 150; Tasmania has 103. The exchange continued:

MR SMYTH: Is that the target—150?

Mr Barr: Again, I am not going to be pinned to an absolute target, but I think we need to have some comparability with jurisdictions of similar size. My concern is to ensure that the quality of our programs is there and that we are able to provide our athletes with high-quality assistance.

That is what I said in those hearings. Mr Smyth then took the matter up again in estimates, as is his wont, and asked me:

Were there 150 scholarships? I see the notes say that the number may vary.

I said:

No. The 2007 scholarship numbers are 164.

I said that I signed off on that in March 2007. To suggest that at any point I misled the public accounts committee is an inaccurate statement. I contested that all through the estimates process, and I still contest that I misled that committee. I have just quoted exactly what I said. Yes—and I make no qualms about this—we made a business decision to increase the level of assistance to athletes but also to reduce the number of athletes that we were supporting. I said that we would look at similar sized jurisdictions. There was Tasmania, with 103. They have a larger population than us, and they support only 103 athletes. The Northern Territory, with a smaller population than us, supports 150. We support 164; matter closed.

Mr Smyth: But the target is 150.

MR BARR: The 164 are funded through the program—and funded to Australian average levels of assistance. We were providing them with only about 60 per cent of the equivalent levels of assistance in other jurisdictions. Under the previous government, in order to be counted as an athlete, if you got a T-shirt and a water bottle from the academy of sport you were counted as part of the program. I do not consider that support for elite athletes. Giving them a water bottle and a T-shirt and letting them attend the gym for one session to count them in the figures is not quality support for our elite athletes.

Let me turn to tourism. Mr Smyth has made much of seeking to denigrate the work of Australian Capital Tourism to suggest that the organisation has been gutted—that it has lost half its staff, that the government has cut half the staff. The information that I provided to him in estimates, and that I continue to provide, is that there was a reduction in the number of staff at Australian Capital Tourism from 53.8 FTE to 41. In anyone's language, that is not a halving of the staff in the tourism authority.

Mr Smyth: Are all the positions filled?

MR BARR: It is 41 positions within Australian Capital Tourism.

Mr Smyth: Yes, but are they filled?

MR BARR: Yes: 41 ongoing positions in Australian Capital Tourism—all filled. We welcome our new general manager, Simonne Shepherd, who is a fantastic addition to the team at Australian Capital Tourism. In making the decision to bring that back within a department, we made a number of administrative savings, not least in ministerial support. The DLO in my office takes on the role of sport, recreation, industrial relations and tourism, so tourism is not having to fund an entire ministerial support officer in the way it previously was. That is a saving made.

We have made a number of other savings in terms of finance, human resources and payroll, through shared services. There has been a huge amount of administrative savings within tourism. I would like to make more. I think an outrageous situation is the amount of rent that they are paying at the airport—a 10-year deal that was signed by the previous government. I would, in an instant, get them out of there and into a CBD location; but, unfortunately, someone locked us into a 10-year lease at half a million dollars a year rent.

Ms MacDonald: Who would that be?

MR BARR: I cannot imagine who that would be! If I wanted to identify high priority expenditure within tourism, the very first thing that I would do in looking at tourism—and that I did in looking at the tourism budget—would be to say, “Well, what’s the low value expenditure? Where are we wasting money? Where can we redirect money?”

In a media release Mr Smyth put out not long after I became minister, he talked about the hokey-pokey of tourism funding—that you take money out and you put money in. Interesting—very amusing; pretty funny. He is a witty man, Mr Smyth. But what he fails to recognise is the importance of priorities in expenditure. To be lectured by the shadow Treasurer about the importance of getting your priorities right, reducing back-end administration and putting money into front-end services, and then having the shadow minister for tourism suggest, when we do that, that this is somehow the end of the tourism industry as we know it—it is classic Brendan Smyth.

It is one side of the Liberal Party making a particular statement and running a particular economic line when the other side—Mr Mulcahy is attempting to be a responsible economic commentator; Mr Smyth, on the other hand, is prepared to go round misquoting Access Economics reports. Yes, I have read the report, Mr Smyth. I note that you refer to \$107 million worth of indirect taxes that are achieved through the tourism industry. It is interesting that in the year that the report refers to, 2002-03, the total amount of revenue that the ACT government received from taxes, fees and fines was \$658 million. Mr Smyth suggests that, out of that \$658 million, \$109 million came from the tourism industry in revenue that was collected there—

Mr Smyth: Read the report.

MR BARR: Indirect taxes to all levels of government, Mr Smyth, not back to the ACT government. For Mr Smyth to say that, for every \$1 the ACT government invests in tourism, we get back five times that in revenue to the ACT government is not correct.

Mr Mulcahy: What is the figure?

MR BARR: It is not correct.

Mr Mulcahy: What is the figure?

MR BARR: No-one has done that piece of work, but it is certainly not \$109 million. If you are seriously suggesting that \$109 million out of the \$658 million that the ACT government raised in the year that the report was looking at came from the tourism industry, that is a heroic assumption. We know that the vast majority of that would have been GST revenue.

Mr Mulcahy: Where does that end up?

MR BARR: It ends up—certainly not on the basis of—

Mr Mulcahy: Oh, come on.

MR BARR: Hear me out. It is not allocated on the basis of where the money is spent, Mr Mulcahy. It is allocated on where people live. So whether tourists visit the ACT and spend money—

Mr Mulcahy: The GST ends up with the states?

MR BARR: Yes, the GST ends up, via the commonwealth, in transitional payments, back to the states. But it is not—I repeat: it is not—allocated on the basis of where the money is spent. It is allocated on a per capita basis to the states and territories.

There seems to be a suggestion that the ACT government, through some mysterious multiplier effect, is going to get back more revenue in taxation than it provides in payments to the tourism industry in what amounts to an attempt to address a market failure whereby other organisations will not invest because they fear the free rider effect of their fellow businesses. I accept that there is a role for government in addressing that market failure, but we do not want a tourism industry that is reliant solely on government funding. Those organisations do not want it either. They do not want it. No-one wants to be reliant on government handouts to maintain their businesses. No-one wants that.

Mr Mulcahy: The hotels have spent millions on it.

MR BARR: The hotels have, but again the ACT government is the largest provider of funding into the tourism sector. There is no doubt about that—in terms of marketing, product development and all of those areas. We provide the bulk of the funding to address a market failure. To suggest that this is some massive cash cow—that we get five times the amount we invest back in taxation revenue—is a furphy. It is not true, and Mr Smyth should stop peddling it—just as he should stop suggesting that we have lost half the staff in tourism: we have not. Just as he should stop suggesting that we have eliminated all funding to the tourism industry council. We have not.

There is a litany of press releases from the shadow minister that are factually incorrect. He consistently gets it wrong. The thing that he cannot stomach is that, in response to addressing administrative inefficiencies within the tourism area and providing incentives for the industry to get off their backsides and work with government—to move out of the comfort zone and work with government—we are starting to see people engaging in the new tourism campaign, in the range of new areas that the government is funding. *(Time expired.)*

MR SPEAKER: Mrs Dunne, have you spoken before on this?

MRS DUNNE (Ginninderra) (5.34): Yes, I have, Mr Speaker, but I still have at least 10 minutes up my sleeve.

MR SPEAKER: Oh, well.

MRS DUNNE: They will be provoking, Mr Speaker, and when they provoke we will occasionally retaliate. I want to put on the record a chronology that has been prepared by Mr Pratt's office in relation to correspondence between Mr Pratt's office and others in relation to the Tharwa bridge. On 27 November 2006, Mr Pratt sent a letter to Mr Hargreaves formally requesting a briefing in relation to the Tharwa bridge. On 28 November, Mr Pratt sent a letter to Dr Brendan Nelson and copied it to Air Chief Marshal Angus Houston and Lieutenant General Peter Leahy in relation to defence support with the Tharwa bridge. On 12 January 2007, Dr Brendan Nelson sent a reply, which was tabled in this place this afternoon and read extensively from.

On 14 February, Mr Hargreaves sent Mr Pratt an email asking him to confirm or reject rumours that Mr Pratt had spoken to Brendan Nelson re the low-level crossing at Tharwa. Mr Hargreaves also mentioned that a structure built across the river at that place would require approval and referral to the heritage council. So it seems that at least Mr Hargreaves was thinking about it. On 14 February, the same day, Mr Pratt sent Mr Hargreaves an email confirming that he had sought advice from Dr Nelson. Mr Pratt also sent a letter to Mr Hargreaves on that day reiterating the confirmation and recommending that, as communication with the commonwealth had been made, it was time for the government to act formally to submit to the commonwealth an application on behalf of the Tharwa community—which is what Dr Nelson suggested in his letter, which has been tabled here today.

On 15 February, Mr Hargreaves put out a media release saying disparaging things about Mr Pratt and that Mr Pratt had been invited to discuss the replacement of the Tharwa bridge. He said:

Mr Pratt was invited yesterday to discuss the replacement of the Tharwa Bridge with me and is yet to confirm his availability for that meeting.

This is a meeting that was first asked for in November, and this is 15 February that Mr Hargreaves makes an offer of a meeting on one day and then the day afterwards slags off the opposition member for not replying immediately.

On 20 February, Mr Hargreaves acknowledged receipt of the email and suggested that his personal assistant would be in contact to set up a time for himself and Mr Pratt to discuss the matter. On 20 February, Mr Pratt's office had contact with Mr Hargreaves' office via email suggesting that a meeting take place. Then there was silence until 9 March, when Mr Hargreaves put out a media release claiming that Mr Pratt's statements since September in relation to the bridge at Tharwa had been "deceitful and misleading". I seek leave to table for the information of members the Tharwa bridge chronology of events as compiled by Mr Pratt's office.

Leave granted.

MRS DUNNE: I thank members and table the following paper:

Tharwa bridge—Chronology of events

Here we see a member acting diligently to try and look after the best interests of a community which has been extraordinarily badly treated by this government. When they put together the school closure issues, the water pumping issues and the bridge issues, the people in Tharwa do have reason to scratch their heads and wonder why they bothered to have any hope of any assistance from the Stanhope government. Added to that, there is the shabby treatment of the volunteer bush fire brigade, of which Tharwa southern brigade is an important element.

There is a huge amount of discontent. What we have here is Mr Pratt representing those people and taking proactive action to try and get a solution to a problem that the government is not doing anything about. He has got things moving. Then he asks the minister to take up that baton and see if he can get something out of the Department of Defence—make an application to the Department of Defence on behalf of the Tharwa community. We have acrimonious press releases but no action.

Instead of taking action on behalf of the people of Tharwa, here today we have Mr Hargreaves saying, “Well I’m gunna get some advice. I’m gunna do something. I am not quite sure what.”—in some attempt to imply that the opposition has been acting in bad faith. This is an attempt at intimidating Mr Pratt. I do not think that Mr Pratt is the sort of person who is going to be intimidated by Mr Hargreaves “gunna” attitude. It would have been much more useful if Mr Hargreaves had agreed to meet with Mr Pratt, as was suggested on 14 February, and there had been a bipartisan attempt to help the community of Tharwa.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.12—ACT Planning and Land Authority, \$32,949,000 (net cost of outputs) and \$6,524,000 (capital injection), totalling \$39,473,000.

MR MULCAHY (Molonglo) (5.40): Let me just say at the outset that, in terms of opposition responsibility at the moment, I also have the responsibility of shadow minister for planning, due to the fact that my colleague Mr Seselja is away presently on leave due to the birth of his daughter. I would like to put our congratulations on the record. He has three boys and now he has a daughter. I understand they are all very well. I will take up some of the issues that he would have wanted to raise on this occasion. I have explained why he cannot be with us.

As indicated, the government will appropriate \$39.473 million for the ACT Planning and Land Authority. We have already discussed the importance of the property sector in the ACT. It is a vital area of the ACT economy and has been a cash cow for the government. The housing affordability problem in the ACT brings home the importance of this vital area of the economy. Housing affordability problems have flow-on effects to ACT residents in terms of their household savings and their general wellbeing.

I may be one of 17 with this view, but the Chief Minister yesterday was quick to say, “Oh, Mr Mulcahy doesn’t believe in his task force on affordable housing, or whatever he is calling it, and his solutions.” I do not believe in it because I think the solutions are extremely complex. That is the view of most of the leading economists if you read their work on it—and I do. There are many factors, one not insignificant factor being taxation arrangements at the commonwealth level. Whilst this is a significant issue, I do not believe it is easily rectified without creating another new set of issues that have a consequence, as the Labor government found federally to their great shock and horror when they tried to upend the negative gearing arrangements many years ago. There is no question that it is an issue for a number in the community and we should be doing what we can at a territory level to assist, to the extent that it is possible within this administration, in reducing some of the pressure on housing affordability.

ACTPLA plays an important role in this area. It is responsible for the approval process for building projects that involve large amounts of investment and expenditure and usually run on tight schedules with little scope for delays. Crucial to all of this is the cost of finance which has to be met by somebody. I have not met too many property developers that are of such a magnanimous frame of mind that they are happy to absorb all of those things and not pass them into their cost structure.

Any problems occurring at ACTPLA, any delays, any bottlenecks in work, are not just an inconvenience to bureaucrats and to the clientele of this organisation. Delays and other problems in this area can lead to massive costs being imposed on developers and ultimately being passed on to the property market. To give an example, I was astounded when I was informed by a Canberra developer earlier this year that the approval process for removing one unwanted tree in an area for development ended up costing the developer in the order of \$100,000 in delays, interest costs and additional legal work. This occurred prior to the current minister taking on the role. I will come back to that transition in a little while.

This may be an extreme occurrence, but it does highlight the enormous costs that can accrue from delays over what are essentially minor issues in the scheme of things. I have no doubt that this cost will ultimately be passed on to the relevant property buyers in that development or in future developments. My colleague Zed Seselja would be able to regale you with all sorts of similar horror stories where developers have had to sit back and wait for approval from ACT bureaucrats, while they watch their costs escalate at a rate that would make most people very anxious. Some may be tempted to ignore this problem. Some may decide that developers are big enough to look after themselves and that these delays only put a dent in their profits. But this, of course, is a mistaken view. The costs incurred in property development flow on to the costs of property in the ACT and contribute greatly to the problem of housing affordability for ordinary Canberrans.

I will concede that, apart from Mr Barr, it seems that a lot of people in this place do not understand that you cannot compartmentalise the events at one stage of the sale process in the marketplace and assume that they do not flow on to other areas of the entire cycle and ultimately cost. You cannot ignore what has happened at the top end and say, “That won’t hurt the people at the bottom end of the scale. We will make special arrangements for them and ignore the rest.” Things flow down, just as they do

with taxation and general pricing. The same fundamental principles apply in the housing market.

The importance of efficiency in ACTPLA is something else I would like to talk about. The delays in development approval are highlighted on page 401 of budget paper No 4. This information shows that, for single dwelling development applications, only 85 per cent were assessed within the statutory time frames in 2006-07. For other development applications, only 75 per cent were assessed within the statutory time frames. This issue was raised in estimates committee hearings on 21 June, and I think I raised it in annual reports or estimates last year on a separate occasion then. The minister pointed out that these levels were within the government's target. I remind the government that these are statutory time frames. They are not merely policy documents of the government; they are time frames that are enshrined in law in this territory.

The government sought to explain why it was not able to meet its statutory time frames. The Chief Planning Executive gave an example of the kind of delay that might occur, stating:

... if we give a response that we want to achieve improved environmental performance in a building, it is not something that you can just assign through a condition. You go back to the proponent and you say, "This is what we want to achieve. These are ways in which we think you can do it. Are you willing to or not?" That all takes time. More often than not applicants are prepared to engage in that: they know that the alternative is that we may give a decision that forces them to go to appeal because they do not like the prospect of that outcome. So it is often to the benefit of the development approval process to go through those exercises.

Forgive my scepticism, Mr Speaker, but this sounds an awful lot like an attempt by ACTPLA to become a fellow architect for building development. The government claims that it cannot just assign its requirements through a condition, that it must put forward its own proposals for the building. It seems to me to show a complete lack of regard for objective standards and gives the government arbitrary power to meddle in the design of buildings, an issue that I have raised many times in the past. At the end of the day it is not the government's money that is on the line in these developments. It can afford to mess around all it wants, making demands for alternative design and going beyond the time frames set by this Assembly. At the end of the day, it is the property sector of the ACT and the residents of the ACT that are hurt by these delays and this interference.

Another important factor identified in housing affordability is the cost of land and the issue of supply. This is one part of a wide range of considerations, but it is an important part nonetheless. It is quite clear that the government has failed to react quickly to the problem of housing affordability. It has failed to formulate a proper understanding of supply-side issues such as land release. Indeed, the minister conceded this very point in estimates committee hearings on 21 June, when he said:

It is clear that policies that have been pursued by governments at both the state and territory level and the federal level over nearly the last decade have largely been around fuelling the demand side. Initiatives such as first home owner grants

really have just brought forward consumption, rather than actually addressing some of the key issues in relation to housing affordability, so it is important to have a supply-side response.

Later in that hearing the minister went on to say:

If we continue to undersupply the market, even if we do reserve 10 or 15 per cent, we are not going to address the issue ...

The government is now proposing to ensure that ACTPLA has a ready supply of land. The minister proposes to have ACTPLA hold a ready supply of five years worth of land. It is also important to note that there is an inherent conflict between the objective of lowering, or at least avoiding, massive increases in the price of new houses and the desire of existing home owners to preserve and increase the capital value of their homes. I am particularly concerned that we do not repeat the mistakes of the Follett government on this issue: flooding the market suddenly with land and completely eroding the capital worth of people in the ACT and their single largest investment, the family home. We need to walk very carefully here. I am pleased that we do have an economic rationalist at the moment in the role of planning, so there is hope that some sanity will prevail in the handling of this area of policy.

As I said at the commencement of my remarks, there is no easy solution to this conflict and it is the reason that a range of strategies may be needed to address housing affordability. (*Second speaking period taken.*) We cannot just treat land release as a quick fix. While we are now seeing some proposals for land release, I note that the housing affordability problem has not occurred overnight. It has come about slowly, through a number of problems in government, including its slow release land monopoly, its increasing levels of taxation on the property sector and its cumbersome process for planning and approvals.

In estimates committee hearings on 21 June, the Chief Planning Executive of ACTPLA set out the commitments of the national action framework for affordable housing. He stated:

The four commitment areas cover issues of taxation as one commitment; in other words, looking at national reform on taxation issues and revenue issues.

While I commend the Chief Planning Executive on his commitment to the issue of taxation reform, I note that this position is starkly at odds with the attitude of the Chief Minister, who has ruled out any review of the punitive levels of ACT taxation. Yesterday the Chief Minister denied that he had ruled it out. I draw Mr Barr's attention to a press release—I was going to table it yesterday; I will do that later—that the minister put out on the day that he released the June accounts, where he ruled out tax relief and spoke about being responsible in not doing these things. We will bring that later to the attention of the Assembly because it runs completely contrary to the retreat we heard yesterday.

Mr Barr: For this financial year, but he said that we review it every year.

MR MULCAHY: That message is starting to cut through. The public are saying, "Fair comment, Mr Mulcahy. We bring an extra \$100 million and we do not see any

tax relief. What is going on with that territory funding?" We keep hearing members saying that he wants to spend \$1 million on Northbourne Avenue with his folly—Stanhope's folly—up there, the monument arch, but there is no taxation relief. I am intrigued that there has been some retreat, but it certainly runs contrary to the press release that was put out with the accounts which I was delighted to seize upon.

In estimates committee hearings on 21 June the minister drew attention to the government's increase in the minimum allowable energy standard for new commercial buildings. He stated:

The ACT has lifted the minimum energy efficiency standards of new homes, introducing minimum requirements for energy efficiency in new commercial buildings and consulted on a policy that would make it mandatory for new homes to achieve a 40 per cent reduction in water use compared to 2003 levels.

The government has to recognise that, when it imposes additional requirements on building developers, it increases the cost of housing. No doubt the minister will argue that this minimum energy standard will allow building occupants to save on their energy costs, that this will save them money in the long term and he will save the planet. But if this is the case, then building owners and occupants are perfectly able to make this decision themselves if it is so economically sound and to weigh the relevant costs up in their purchasing decisions.

I have a few other comments I would like make on that. There have been some changes in the role of minister. I will be quite frank here and share a secret with the Assembly: a number of people in the property sector said, "You have got a bit of a bigger challenge now that Jon Stanhope has tossed Simon Corbell out of the job because he really was impossible to work with." I was a bit shocked when I heard that. I said to my colleagues, "We are going to have a bit of a challenge here now that they have fixed one of the biggest problems in the territory government by putting Mr Barr into the job." But last week my apprehension was allayed because we saw this planning legislation brought in—this shambolic exercise that was inherited by the current minister. He ended up having to bring in, I think, 160 amendments into this place which told me that things were a long way from being fixed. I will certainly watch with interest to see how the new minister goes in cleaning up the problems that were not only identified clearly by the Chief Minister but also observed by the people who do business with him: the property developers of Canberra who certainly had some interim relief with the change.

There are other interesting areas in the budget papers, particularly the minimum requirement of 5,000 blocks of land able to be released at any one time for fluctuations in the market. It will be intriguing. Maybe the minister can tell us where these 5,000 blocks are, when they will be ready for market—whether the minister's idea of "ready for market" is that they are available but it will be 18 months before you can do anything with them—how well-prepared they will be and where they will be located.

There is quite a deal of interest in these wonderful undertakings. It will certainly be interesting to see what their impact is on the property market. Whilst I am conscious that housing affordability has been identified as an issue, I do not think I have known

as many people under the age of 30 at the moment who have bought properties, as has happened lately. I think that we have to strike a very careful balance. The Follett solution is long remembered; it cost a lot of us a lot of money in the nineties. Mr Stefaniak will remember that era: people ended up taking a bath on their property sales, thanks to poor management by the territory Labor government. Eventually Mr Berry had to step into the role and try and salvage the place.

The fact of the matter is that we hope the minister is careful in the way he proceeds. These instant magical solutions the Chief Minister keeps clinging to, because economics is not his forte, as we know, will not be foisted on the Canberra people without a lot of very careful consideration for the overall impact. We are looking for solutions to the problem without chaos being caused. I think at this point, Mr Speaker, I have probably said enough. I look forward to hearing what the minister has to say.

DR FOSKEY (Molonglo) (5.57): When the issue of englobo land sales was raised in the estimates process the Chief Minister said that, if the results are not adequate, then the policy would be reviewed. I hope sufficient attention and resources are committed to the ongoing assessment of the adequacy of englobo developments against environmental and social outcomes.

We have been promised many things by the development lobby in the past and have been routinely disappointed on numerous occasions. When englobo releases were in full swing in the 1990s, developers would build one or two demonstration homes which had the full panoply of environmental features: solar passive siting and design, intelligent venting systems, grey water recycling and so on. Unfortunately the rest of the homes in the suburb all faced the road regardless of solar orientation; they had minimal insulation and no privacy. Concrete dominated the landscape and dwellings were packed in to maximise profits. People visiting these suburbs for the first time remark on the narrowness of the roads and the lack of footpaths. Is this not a kind of a theft of public space? It is certainly a reduction in public amenity and a real obstacle to sustainable transport.

These suburbs have no stormwater retention, few green spaces and they are not pedestrian, public transport or bicycle friendly. When asked to justify englobo land sales in terms of their benefit to the community, the Chief Minister said that the industry have been pushing hard for englobo sales and they insist that competition will deliver fast, affordable and high quality housing developments—just what Mr Mulcahy has been saying, I think. The industry would say that, wouldn't they? The last planning minister was not convinced of their claims and perhaps the development lobby wanted to remove him from the planning portfolio. Again, going back to what Mr Mulcahy said, it sounds as though that was the case; if so, they got their wish.

What should the community make of the high proportion of political funding that both the major parties receive from the development lobby? I wonder what they demand and what they get in return for their largesse. One is tempted to apply the duck test: if it looks, walks and quacks like a duck, the odds are it is a duck.

At least with mandatory five-star requirements there is some reassurance that future profit-driven englobo developments will be guided by more than the lowest possible

standards that the market will bear. But if effective and responsible greenhouse gas emission targets are to have any hope of being met, the government will have to legislate to force developers and home builders to comply with minimum standards. It will not happen on its own; the market will not deliver. ACTPLA has a brief to provide leadership, and this is one area where leadership is absolutely critical. In the absence of leadership, we can be quite sure that self-interest and the profit motive will normally trump the broader community interest.

ACTPLA and the LDA should be directed to take a very hands-on oversight role to ensure that future developments will deliver on what the Chief Minister described as the industry's vehement claims that they would match, if not exceed, standards established by the LDA. Words are cheap and the government has been deceived before. Why not include punitive breach of promise clauses into the englobo sales contracts that would entitle the government to recover the costs of rectifying any shortcomings and put developers on notice that this time there will be adverse consequences for failing to deliver on their promises?

The people of Canberra have said on numerous occasions that they do not trust the planning authority to communicate with or respond to community concerns. These views have been confirmed by a number of independent reports, including the Artcraft report in 2004, the National Institute for Governance report in 2003, the Auditor-General's report into the development application and approval process and the Auditor-General's report into the sale of block 8, section 48.

At 6.00 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

DR FOSKEY: What was the government's response? It implemented a planning system model concocted largely by the federal government and the Australian Property Council which reduces the opportunities for community input, privatises various regulatory functions and removes most of the remaining mechanisms for community consultation. There go some of the best safeguards against inappropriate housing and commercial development proposals. I do not see much evidence in this budget that the government appreciates that it now bears even greater responsibility in delivering on social and environmental outcomes.

The planning minister claims that he is treading the middle path between the Greens and the Liberals and therefore he must have it right. But the truth is that there is barely room for daylight between the policies of the Labor and Liberal parties, as evidenced by the tenor and minimal content of the many amendments proposed by Mr Seselja in Tuesday's debate—most of them on behalf, it seemed, of the property lobby in the ACT.

I do not understand why ACTPLA has abandoned neighbourhood planning. It had seemed an acceptable fine-grained approach to suburban redevelopment. I understand that neighbourhood planning processes are labour intensive, but the benefits of these intensive consultation processes in goodwill alone are surely great enough to warrant finetuning the system rather than abandoning it.

Is it the case that community consultation and participation is too time consuming to fit into the time frames for development approval demanded by developers? This budget does not make any serious inroads into the dependence on private car transport. While a commitment to pedestrian friendly suburbs has been expressed, the loss of community schools and associated community based economies outweighs any pedestrian friendly initiatives contained in this budget. Hopefully the next federal election will see the balance of power change in the Senate. An environmentally aware Rudd-led Labor Party might support the Greens in legislating for environmentally sustainable development policies, which may see an end to the uncoordinated and irresponsible developments on commonwealth land at airports.

Presumably ACTPLA and the LDA will play a major role in delivering on the government's stated commitment to affordable housing and greenhouse gas reductions. I do not see anything like the commensurate allocation of resources needed to deliver on these commitments in this budget. Once again, I commend Professor Blaker's solarisation proposal to the Assembly. While Mr Gentleman's championing of solar feed-in laws is commendable, alone they will not deliver the necessary reductions in greenhouse gas emissions. They should be merely one component of a comprehensive scheme of reduction measures that complement each other and provide guidance and incentives to the community and to the business sector who have consistently said that they are wanting government leadership on this critically important issue.

I understand that the next episode in the EpiCentre debacle will see the ACT arguing against the NCA that the ACT government is the body empowered to interpret the territory plan. I did ask where the funds were in the budget to cover any costs of the current court action, especially in the event that the ACT loses. While I have a lot of sympathy with the ACT government's position, I suspect that the government is throwing good money after bad. The quantum of damages that the ACT will be up for if or when the EpiCentre sales process is finally subjected to independent judicial scrutiny will be enormous. I have heard the figure of over \$40 million being suggested by reputable commentators. Whether ACTPLA's processes are found to be in breach of procedural fairness or not, I can only hope that future land sales will not involve questionable planning law interpretations and dispensing selective information to various commercial competitors. Playing favourites with developers is a serious departure from democratic values. I hope that, behind the complacent political facade, lessons have been learned from this experience.

On a positive note, I welcome the obvious enthusiasm that the executive of ACTPLA have for placing planning instruments and documents on line. This budget does not appear to contain sufficient dedicated allocations to fully implement this commitment to online access to relevant documents. This is an important initiative and will greatly complement the government's new planning regime. Greater ease of access to accurate, up-to-date documents will more than pay for itself. (*Second speaking period taken.*) I would like to remind the house of some wisdom that was shared in this place by the former shadow minister for planning on 6 September 2000. He said:

Well, I think most people in Canberra would think that open space is currently being pretty efficiently utilised as open space. They think that is pretty good and

they think it is a pretty efficient use of the land. But apparently Treasury thinks otherwise. And why would Treasury think otherwise, Mr Speaker? They think otherwise because they see it as a valuable cash cow from which revenue can be milked for the government.

I agree wholeheartedly with Mr Corbell. In the context of the Phillip pool redevelopment, I urge Mr Barr to take up his predecessor's good fight to retain open public spaces. I think that ACTPLA and the planning minister will have an interesting year. The new planning system has promised a quick and efficient process. The booming development industry will be leaning on them to deliver that quicker, efficient response when it faces unequalled demand and unequalled opportunities. There are many of us with a strong commitment to social and environmental sustainability, to community development and respectful process that will watch what this process delivers in terms of throwing up opportunities for building a better city.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (6.09): I wish, briefly, to mention one thing that Mr Mulcahy did not have time to mention. I refer to media release No 363 of 2007 from Mr Stanhope entitled "Better than expected results boost budget position". I will read out the relevant paragraph and then table the release, which was issued on 30 August:

Whilst it might be tempting to see the one-off impacts on last year's interim result as an excuse to indulge in some significant additional spending or to cut revenue streams by winding back taxes, this would be irresponsible in the extreme. What these results now and into the future do allow is for some capacity for targeted sustainable expenditure on infrastructure and prerogative services.

I table that release.

MR SPEAKER: You need leave, Mr Stefaniak.

MR STEFANIAK: I seek leave to table that release.

Leave granted.

MR STEFANIAK: I table the following paper:

Budget 2007-2008—Better than expected results boosts budget position—copy of media release by the Chief Minister, dated August 2007.

I thank the Assembly.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (6.10): I thank members for their contributions to this line item. As a relatively new planning minister it was fascinating in this debate to hear the wonderful divergence of opinion in the Assembly on planning matters. Dr Foskey observed that I find myself in a middle ground, and I do.

Dr Foskey: You play in the middle ground.

MR BARR: Dr Foskey criticised me for certain things. Clearly she criticised the government from a perspective to the left of the government and it is very much the case that the Liberals come at us from a position way to the right. So I feel quite comfortable sitting in the middle of these two squabbling views. Sitting back and observing the sniping that goes on between the Greens and the Liberals over planning and development matters is always quite amusing.

In response I take this opportunity to highlight a claim that Dr Foskey made about there being no provision for additional information technology use within the ACT Planning and Land Authority. I draw her attention to my budget media release entitled "IT upgrade boosts access to planning information". The government is investing just over \$2 million to improve IT systems that are used to help the community and industry access information about planning development and individual blocks of land.

Budget funding will allow the ACT Planning and Land Authority to upgrade technology to meet the needs of customers who are increasingly doing business online. The funding will help rebuild supporting information systems to enhance and extend the extensive online services already being developed by ACTPLA. ACTPLA's electronic services include those for searches of block and development information, online lodgement of a number of applications, conveyancing for the purchase of homes, and payment of fees. These systems are aimed at saving the community time and money, as many Canberrans no longer have to visit a customer service centre.

So, yes, we are engaging in a significant upgrade of information technology at ACTPLA, but I acknowledge the point Dr Foskey makes that the organisation is already at the cutting edge of the use of information technology within the planning and development system in the ACT and we intend to continue that good work. I know that team members at ACTPLA are very excited about where they can take this additional money and what they can do with the use of additional information technology to make things simpler, faster and more effective for Canberrans.

Whilst I am on the theme of simpler, faster and more effective, these are the key benefits. These are the key things that the planning system reform will deliver for the people of the ACT. We have struck a balance in this new legislation and we will see through the adoption of the new territory plan and, in the first quarter of 2008, the establishment of the new planning system. It is a major reform for the territory and it is important that we are able to move ahead with it. I am pleased to have had the opportunity to be involved in the project but I want in particular to pay tribute to the work of my predecessor who did three years of development work leading up to the passage of the legislation through the Assembly last week.

In an exercise of this proportion, a range of minor issues and technicalities will always have to be addressed. Yes, there were a number of amendments to the legislation but we got through it and we had constructive debate in the Assembly. I acknowledge the contribution of the shadow minister and of the Greens in that debate and I look forward to a continuing and strong working relationship with all the parties in this chamber to ensure that we get the best possible planning system for the territory.

There is something about which I am very conscious when striking a balance between the needs of this city to grow, the importance of addressing housing affordability, the

importance of providing new services in Gungahlin, and the importance of addressing climate change. We must always have in mind the simplicity of the system to ensure that we are able to provide an overall planning framework that people understand, that people have a sense of ownership around the development of Canberra, and that we have in place a system that is broadly supported by all members of the Assembly.

By and large, a couple of minor quibbles aside, I think the legislation received broad support, which was very pleasing to see. In 2008 we will move ahead with the new territory plan—what I think will be a great step forward. Just to contrast the experience in the ACT with what occurs in other parts of the country, at Kevin Rudd's housing affordability summit, I had the opportunity to hear a bit about some of the experiences in other jurisdictions.

Whilst not wanting to highlight the work of comrades at Leichhardt City Council, the fact that it takes nearly 180 days to get that council to approve of even a minor alteration is causing Frank Sartor, the minister in New South Wales, great frustration. Our system will exempt a large number of fairly minor additions to people's homes. If people go through the code track and meet the requirements of the building codes there will be a fast-track approval process and we will be looking at 20-day, 30-day and 45-day turnaround periods for all our development applications.

I think that compares very favourably with what is occurring across the border in New South Wales and elsewhere in the country, so I think it is unfair to suggest that the ACT system is slow and cumbersome. We needed to address some issues, and we have through this legislation. The new system, which will provide the best planning system in Australia, is something that will be welcomed by all those involved in the property development sector. That certainly has been the case.

Useless development issues aside, there has been very broad support for the legislation. Again, I make no apologies for seeking to strike a balance through the legislation and, no, we did not support particular urgings from the property industry in relation to useless development. They advocated that strongly, forcefully and professionally. It was an interesting debate and I welcomed the opportunity to engage with them on those issues. But in the end I formed an opinion, made a decision and we have moved forward.

I welcome the opportunity to work with all the industry players and with the community in the development of the new territory plan. I welcome the involvement of Sue Halliday, the independent assessor, and the reference group with representatives from industry, the professions, the community and academia. Involving social planners as well is an important process. I am very pleased to hear that their work has been progressing very well. In November this year the new territory plan will go out for a further period of consultation and then we aim to have it in place in the first quarter of 2008.

I think it was sensible to take the time to have a further look at the new territory plan. I think it was a sensible, considered and moderate process. Again, I will aim to strike a balance between the two extreme positions that are put. In this instance I particularly note the policy void that has been formed by the recommendation in the dissenting report to abolish A10 zones. So the Liberal Party is proposing one of two things. It is

either back to the law of the jungle—which is what it was before; you could have development anywhere and it did not matter—or it means no development at all.

Those are the two options. I note the additional comments that were made as part of the recommendation that we were to stop inappropriate development. That might give an indication that the Liberal Party might be suggesting there be no further redevelopment within Canberra and that all new development—

Members interjecting—

MR BARR: I put the question to you. There are two options. It is one or the other. It came as a surprise to the shadow minister. The shadow minister for planning was not aware that this would be in the report. It is interesting that staff members in his office were frantically running around when this was brought to their attention. Unfortunately, it appears as though Mr Seselja was rolled by his leader and his deputy leader on this policy issue. We look forward with keen interest to establishing where the Liberal Party will go on this issue because it is a substantive debate. It is not something that they can walk away from. Having made the announcement that they no longer support A10, or that they never supported it at all—

Mrs Burke: That is all you have got. If that is all you have got that is sad.

MR SPEAKER: Order, Mrs Burke!

MR BARR: Would you like to tell people living in 90 per cent of the streets and suburbs in the ACT that they are now subject to unfettered redevelopment? Is that what the Liberal Party is suggesting? Alternatively, would you like to go to the Property Council and tell it that you are not supporting any further development? *(Second speaking period taken.)* Will they go to the property council, the MBA and the HIA and say, “Sorry—

Mrs Burke: You shouldn’t say that word. The Chief Minister doesn’t like you saying that.

MR SPEAKER: Order! Mrs Burke.

MR BARR: Will they go to the property council, the MBA and the HIA and say, “Sorry, we have decided that we no longer support any urban infill, any intensification of development anywhere in the ACT, so the only option for new housing development will be in greenfields areas.” Is that the policy position that they will put? Well, we will be watching this with interest; we will be watching very closely. Every week we will be asking the Liberal Party what its policy is now. It will have to come clean to the people of Canberra on where it stands and it will have to do it soon. As long as there is uncertainty about the Liberal Party’s position that will have an impact on future development in the territory. As we get closer to the ACT election, which is just over 12 months away—

Mr Mulcahy: Mr Speaker, I know that there is some latitude, but could we get back onto the appropriations? We can have a debate about Liberal Party policy at any time.

MR BARR: This is a major area of planning policy and we are debating the planning and land authority appropriations.

MR SPEAKER: Order! I think the contextual situation is open for discussion and the comparative one as well.

MR BARR: Thank you, Mr Speaker, it certainly is. The people of Canberra will be demanding answers.

MR SPEAKER: But not for too long.

MR BARR: That is noted, Mr Speaker. The people of Canberra will be demanding answers on this issue. They will want to know where the Liberal Party stands. Labor has a clear position: we would like to see intensification of development along major public transport corridors and in the areas close to major services—around shopping centres, around group centres and around major transport corridors. We also want to see additional land made available in the Molonglo Valley. Public consultation on that, in conjunction with the NCA, will commence tomorrow.

Mr Mulcahy: Where are the 5,000 blocks?

MR BARR: I am very pleased that Mr Mulcahy reminded me of that point. Concept plans have been approved and endorsed as guidelines under the territory plan for the suburbs of Franklin, Ford, Bonner, Casey, McGregor west, Uriarra Village, Stromlo settlement and Crace. A concept plan for Ngunnawal 2C is currently being finalised by the Land Development Agency. New concept planning will commence for Moncrief, Taylor, Kenny, Throsby, Harrison, Ford, Lawson and Kinleyside in 2007-08. Of course, we go into consultation on the new suburbs in north Weston as part of the overall Molonglo Valley development opportunity.

There will be at least two new suburbs immediately north of Cotter Road beginning in an arc effectively from where the RSPCA is around to Stromlo forest park. Those suburbs will be the first areas of new development in the Molonglo Valley. The expectation is that they will be available for sale in the second half of 2008—we expect probably closer to Christmas—pending, of course, the passage of community consultation on the draft variation and its consideration by the Standing Committee on Planning and Environment, the NCA process, and the final acceptance of the variation by the Assembly.

Our proposal is that those suburbs will come on line in late 2008. Of course, we will continue the land releases in Gungahlin. There is the Woden east development and we have the Eastlake study with the CSIRO, so we are looking at suburban infill as well as providing refill releases. I think the important thing about Molonglo Valley is its proximity to the city, Belconnen and Woden. Some of the issues that have been raised recently in debate, in particular by the federal treasurer, have been about releasing more land on the fringes of cities but that does not necessarily address the housing affordability problem.

I thank Mr Mulcahy for quoting the statements that I made in estimates because they are right. There has been too much emphasis on demand-side policies, the first

homeowners grant and a range of other policies that have been in place on that side. All that has done is brought forward people's home purchasing decisions and created this surge in demand. There was no way that the supply side was going to be able to respond. That it is not just occurring in the ACT; it is occurring across the country.

What we need are supply-side solutions. We have them, and we have them across the range of housing products—be that in public and community housing, in compact blocks and in new land releases both in greenfields areas and in urban infill. The government has in place a comprehensive policy that is unashamedly based on market-based solutions because, in the end, it is a market. Governments can do a lot of pulling of policy levers. In the ACT we are fortunate that we have a number of policy levers at our disposal.

Rest assured that we are actively engaging in this strategy. The LDA and ACTPLA are working incredibly hard to deliver additional blocks to market. My commitment, through the statement of planning intent, is for five years of planning-ready land to be on the shelf. My commitment, also through that statement of planning intent, is for additional services in Gungahlin. I am very pleased, through my other portfolios, that two new schools are being built and that both neighbourhood and district playing fields are going ahead.

I am pleased Mr Smyth is back in the chamber because I have an opportunity to address the point that he raised about sports ovals. It is certainly the government's intention to ensure that the total number of hectares available now for sporting facilities will be restored after any stage 4 water restrictions. So let me put that one to bed tonight. However, just looking at the demographic demand in the city I think there will be a greater need for additional sporting facilities in Gungahlin and we will move ahead to deliver those additional facilities. There is money in this year's budget for Harrison.

Mr Smyth: So you will shut down some ovals and shift them?

MR BARR: Yes. It is worth noting that we need to look at the quality of facilities.

Mr Smyth: Okay, so the inner suburbs are going to lose their ovals?

MR SPEAKER: Order!

MR BARR: But my commitment is that the total availability of sportsgrounds will not decrease as a result of stage 4 restrictions. If we are forced into stage 4 restrictions and we lose some more ovals, we will restore them if we move out of those restrictions. I put that caveat on it. If we stay in stage 4 for the rest of our time in government there will not be anything that we can do about it. However, in the longer term I think it is important that we are able to maintain and, hopefully, increase, because there will be a requirement for new sporting facilities in Gungahlin and also in Molonglo. So my commitment on that is clear. There will be a maintenance of the total number of hectares available for sporting facilities.

Mr Smyth: But not in the existing locations.

MR SPEAKER: Order, Mr Smyth!

MR BARR: In fact, there will be an enhancement of facilities in Gungahlin and in the Molonglo Valley. However, facilities have currently been turned off for some. I point, for example, to Montgomery oval, which not far from Manuka, which is used as an excess overflow car park for Manuka oval. I do not believe that that will ever be restored to a fully-fledged oval. I think some facilities have degraded and are beyond the point that they could ever be restored to a full neighbourhood oval. However, there are others that we would seek to enhance, working in partnership with sports.

I would like to highlight the partnership we have with ACT Cricket at Harrison. We will continue to work in partnership with sports to ensure that facilities are provided, in particular, in growing areas where there is very high demand. There is no doubt that that is in Gungahlin. That is why we are providing additional facilities at Harrison. I look forward in the future to making further announcements on sporting facilities in those growing areas.

MR SMYTH (Brindabella) (6.29): I am disturbed that the minister has been talking about housing affordability with Kevin Rudd. The minister is dead right: the people of Canberra will demand answers. We have only to go back to the minister's inaugural speech in this place to know the sorts of solutions that he was putting to Kevin Rudd. I am pleased to hear him refer to supply-side because he talked about that in his maiden speech when he said:

The major factor contributing to the decline in housing affordability in Canberra has been the increase in land prices.

But what is his policy? What is his answer to it? He said:

I believe that the exemptions for home owners from capital gains and land taxes need to be looked at because they too are damaging affordability. I think it is fair to say that the price of a house in Canberra these days is a reflection of its tax-free haven status than its inherent value as a home.

The minister needs to stand up in this chamber and rule that out. Did he tell Kevin Rudd that he should introduce a capital gains tax on homes?

Sitting suspended from 6.30 to 8.00 pm.

MR SMYTH: We are on part 1.12, ACT Planning and Land Authority. It is quite important that people understand the importance of getting the planning right and having the land authority right. It is interesting that at page 66 the recently published report of the Urban Development Institute of Australia comment is made on the ACT and on the ACT's housing affordability. It lists two reasons as to why housing in the ACT is now approaching an affordability crisis. It says, "This is being driven by demand through population growth," which, whilst it is picked up, is not overly large. It goes on to say the most important part, "... and from limited supply through protected planning processes and, until recently, a monopoly land development situation." That is a neat summary: lousy planning, lousy land release. It is good to see we have a new minister, and the new minister is under the pump here. The

expectation is high that he will make up for Mr Corbell's mistakes, but there are problems to be addressed. The report goes on to say:

The Australian Capital Territory Government's Affordability Strategy is also well intended but its target of 15 per cent of homes in new estates being priced between \$200,000 - \$300,000 may in the end be subsidised by other houses in the development as these prices will be difficult to achieve without reductions to raw englobo land prices, let alone allowable lot and house sizes.

Here is the well-respected institute looking at what the government is saying, and saying that from 2002 through to 2006, it got it wrong. The planning process was too complicated, too hard, too time consuming, and it got it wrong by being a monopoly land supplier. I notice since Mr Corbell's demise as planning minister Mr Barr has been able to make some progress with it. We are looking, we have high expectations, but we will see. The report goes on to deal with the challenges for the territory:

Improving land supply and assessment processes and permitting changes to the mix and size of products that can be offered are all part of the steps that need to be taken.

I will get back to where I started. It is interesting that the minister did say that he had been with Kevin Rudd, he had been at the affordability housing summit. We need to go back to what Mr Barr said last year in his speech. He said:

The major factor contributing to the decline of housing affordability in Canberra has been the increase in land prices.

Mr Mulcahy: Do people in Gungahlin know that, Mr Smyth?

MR SMYTH: I think people in Gungahlin need to know about this. One can only remember the immortal words of the former Treasurer: squeeze them till they bleed. So here again we have from Mr Barr confirmation that the squeeze them till they bleed policy of Stanhope and Quinlan is wrong. Mr Barr continued:

In the face of these substantial increases, the market has shifted towards smaller block sizes for detached housing and increased housing densities through multiunit development. But despite these changes, the share of land cost in new house prices has increased significantly.

We agree, Mr Barr. You are right. They squeezed them till they bled, and they have caused what the UDIA calls an affordability crisis, certainly in west Canberra, and serious constraints on affordability in central and north Canberra. Mr Barr went on to say, "I believe the solutions to these problems"—and I want him to rule out that he put these solutions to Mr Rudd—"must come from the supply side." We are quite happy on this side of the house to talk about supply-side solutions, and I warmly welcome the recent increase in land supplies delivered by my colleague Simon Corbell. The minister went on to say:

I believe that the exemptions for home owners from capital gains and land taxes need to be looked at because they too are damaging affordability. I think it is fair to say that the price of a house in Canberra these days is a reflection of its tax-free haven status—

The family home is now a tax-free haven, according to Minister Barr—

than its inherent value as a home.

I think most Canberrans would appreciate the value of their home for being exactly what it is—a home. They do not see it as a tax-free haven.

Mr Barr: Read the next sentence.

MR SMYTH: I am going to read the next bit, because it is quite interesting. He went on to say:

These tax exemptions undoubtedly favour the majority of home owners, especially those who are older or wealthier.

So the envy of age and wealth comes on from the young Mr Barr. He went on:

But in my view they are pricing younger people out of the market, thereby contributing substantially to the fall in overall home ownership for younger Canberrans.

The reality is he was right in his first statement. It is the cost of land. I spoke to a gentleman at Bunnings the other day, and he said, “When I moved here in 1970, I bought a block of land for \$1,000 and paid \$14,000 for the house.” Now it is fifty-fifty. We have gone from a ratio of 14 to one to fifty-fifty. Who has done it—Jon Stanhope and his high-taxing, land-squeezing, squeeze them till they bleed policies. I hope the minister will tell us that he lectured to Mr Rudd about supply side. I hope that he told him about supply side.

Mr Barr: Certainly supply side is a key feature, Mr Smyth, rest assured.

MR SMYTH: You did speak to Mr Rudd about these things—confirmation, thank you. I hope you warned Kevin Rudd, Kevin07, against saying that we have to have capital gains and land tax—not one but two slugs from the planning minister—on the family home. It will be interesting, because we all know that Mr Rudd has big-spending promises out there, but he has not told anybody where the money is coming from. Now we know. He has spoken to Mr Barr. Mr Barr has said, “Capital gains and land taxes need to be looked at.”

MR SPEAKER: Order! Direct your comments through the chair. This is not a conversation, it is a debate.

MR SMYTH: Certainly, Mr Speaker. I know that Mr Barr is embarrassed, so I will talk to you, Mr Speaker.

MR SPEAKER: I do not think he ought to be.

MR SMYTH: I know you will understand how Canberrans will react to a Kevin Rudd federal government that will introduce capital gains and land taxes. So, we need Mr Barr to rule this out, that he has not talked about supply side, increasing taxes, to

the federal opposition leader, and we need Mr Rudd to say that he is ruling out capital gains and land taxes on the family home. What we need from Mr Barr is for Mr Barr to say that a home is a home. He is just in the process of purchasing his own home. It is not a tax-free haven. It is your home. It is where you will raise your family. Good luck to you. I hope it is a fabulous home, like mine is. I do not see my home as a tax-free haven. I see it as a place to raise my kids, Mr Speaker, and I am sure you do as well.

MR SPEAKER: No, I am not raising any more kids. I have enough.

MR SMYTH: You have enough? So, Mr Speaker has a number of tax-free havens. That is nice to know.

MR SPEAKER: No, I have enough kids.

MR SMYTH: We need Mr Barr to rule out that his suggestion to Kevin Rudd was you can pay for your hospital program and all your other big-spending programs through capital gains tax and land taxes on the family home.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (8.08): I am happy to do so.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.13—Department of Disability, Housing and Community Services, \$181,809,000 (net cost of outputs), \$39,298,000 (capital injection) and \$29,858,000 (payments on behalf of the territory), totalling \$250,245,000.

MR MULCAHY (Molonglo) (8.08): As indicated, the territory government will appropriate about a quarter of a million dollars for the Department of Disability, Housing and Community Services. Obviously disability, housing and community services are important issue. Disabled residents in the ACT are some of the people most in need in this territory. Similarly, many housing and community services are also provided to some of the people most in need in this territory.

The people of the ACT deserve a government that is able to deal with these issues in an effective manner. They also deserve a government that provides an efficient and effective service. I note that we have seen increasing costs in the health sector recently. We have also seen increasing costs in disability, housing and community services. The budget papers reveal that there has been an increase in costs in real terms for per capita services. This means that the same amount of service is now expected to cost more. The government has to be careful to ensure that costs do not blow out in this vital area. Provision of services to everyone who needs it is too important. It is important to make sure that we are able to sustain service levels well into the future.

Turning to the Office of Children, Youth and Family Affairs, there are worrying signs appearing from constituents that suggest we should be concerned about child protection oversight in the ACT. Staffing issues at the Office of Children, Youth and

Family Affairs appear to be becoming worse despite considerable expenditure in this area. The government has previously gone to considerable expense to import staff from overseas for this office. In answer to a question on notice, the minister revealed that the department had spent \$377,000 on advertising and relocation allowances to recruit staff from England, Scotland and Northern Ireland.

Some three years after this recruitment began, a quarter of these staff have moved on from the department. According to the minister's explanation at estimates, the department is currently understaffed and is currently going through another recruitment process. We all remember the fanfare and the television reports when these people were brought here. A serious question has to arise as to why that recruitment program has collapsed and why the government has to go back to the well to find more. It begs the question as to what are the factors that have led to this being an exercise that has not been well implemented and has led to such a large number of departures.

In estimates committee on 28 June, it emerged that there had been 369 allegations of abuse of children in the care of the chief executive. The minister stated that some of these allegations of child abuse had been substantiated, though she did not give a figure. Another worrying revelation that arose from the hearings was the high rate of abuse of Aboriginal children in the ACT, with the government revealing that 101 of the 505 children in care were Aboriginal children. To put this figure in perspective, ABS data from the newly released census tells us that the total number of Aboriginal children in the ACT—that is, up to the age of 18—is 1,739. This tells us that over five per cent of these children are in the care of the Office of Children, Youth and Family Services. This is a poor outcome for a government that has been strident in its criticisms of measures aimed at preventing abuse to Aboriginal children in other jurisdictions. There are worrying signs for child protection administration in the ACT, and I sincerely hope we will see a turnaround in the problems with this office.

Another area of interest is the youth detention centre. Despite spending on a new youth detention centre, the budget targets do not indicate any targeted reduction in recidivism rates for young people in custody in any of the four years. In estimates committee hearings on 28 June my colleague Mr Seselja made the point that our own Attorney-General, Mr Corbell, is on record as saying that the whole point of providing for a model prison is to reduce recidivist behaviour. The government's response to this point was inadequate. The Director of Child and Adolescent Services at the Office of Children, Youth and Family Services pointed to the difficulty of measuring recidivism and the fact that there is no nationally agreed measure. Frankly, this objection is irrelevant. The government obviously has established some measure if it is reporting on this item at all, and this measure is surely consistent with itself from year to year.

The director also explained that the small number of youth in custody meant that they are "at the pointy end of the justice system." He stated that "we would hope that we would have some impact over time, but it will take some time." If this is the case, I ask why there is nothing in the budget papers to explain the inadequacy of this indicator or to give any indication of the longer-term target in this area. It is no use giving an indicator for the forward years and then writing it off as too unreliable and too short term. We have seen it in several other areas. In any case, we are still left

wondering whether the new youth detention centre will, indeed, reduce recidivism or whether, by the assessment criteria of the Attorney-General, it will be pointless.

I will also make some mention of Youth Week celebrations. On a more positive note, the department undertakes many important services for young people in the ACT. Amongst its priorities for 2007-08 is working with the Youth Advisory Council to ensure that a diversity of views and experiences are reflected in matters relating to young people. Unfortunately, the show bags handed out at ACT Youth Week have shown us exactly what the young people in this territory are being advised by the government. We have seen that Youth Week was commandeered to serve a political purpose for the government. The ACT government allowed the event to include show bags with politically partisan material on the Australian government's WorkChoices legislation. This material set out only the union's perspective on the matter—not exactly a diversity of views, as is supposedly one of its declared objectives.

Material distributed in ACT Youth Week was promoted and placed by the Labor Party's union allies and set out the union campaign against the Australian government's industrial relations system. Amongst the material that was distributed to young people at this event were statements saying, "Your rights at work, worth voting for". I felt at the time—and still believe—this is quite extraordinary. Here we have a government-funded event that is supposed to be run for the benefit of young people, instead being used to tell young people who they have to vote for. Even now when the cat is out of the bag, the minister still did not see a problem with this incident. She did not see a problem with allowing a publicly sponsored event to be hijacked for a political campaign.

Of course, we should not be surprised. The money spent on this event was just a drop in the ocean compared to the waste of funds spent on the ACT's participation in that rather pointless High Court challenge. Regardless of the minister's views on this issue, I welcome the recommendation in the dissenting report of the estimates committee that the ACT government should provide the youth council with a written statement to make clear that such politically partisan campaigning is unacceptable at such events.

MRS BURKE (Molonglo) (8.16): Within the ACT, 57,000 people have some form of disability, 17 per cent of the community, with three per cent suffering profound limitations. There are some 43,000 voluntary carers within the ACT community, and disability is an issue in the life of the whole community. Whilst the opposition acknowledges and welcomes the increase in funding for services for people with disabilities of some \$15.8 million over four years, we are concerned to note that the forecasted needs remain static over those outyears, rather than any incremental increases to cope with the high level of unmet need along with the expected increase in the territory population.

Of course, it is concerning for the disability community that funding is not keeping pace with demand. However, the opposition recognises the challenges, and it recognises that it would take good management, which, to date, I am afraid has been lacking with this government. However, it is felt that there has been little will by the minister as well to substantially address the major issues raised in *The report of the citizen's jury on the community's progress towards Challenge 2014—a ten-year vision for disability in the ACT*, which is based upon the visions and values developed

by the ACT disability reform group in 2002. Members may recall *Challenge 2014—a ten year vision for disability in the ACT* was launched by the former minister, Mr Bill Wood, on 19 August 2004 along with the strategy document from Disability ACT called *Future directions: a framework for the ACT 2004-2008*.

Sadly, this report was all but summarily dismissed in a most insulting manner by the Minister for Disability and Community Services. I know that highly offended many of the members on that disability council, which was quite sad. It should be said that the government has not really taken on board with great sincerity the many representations from stakeholders. Of course, we are seeing this all too familiar situation within the Stanhope government across a range of portfolios that we have been debating this week. Most notably, as I have said, the Disability Advisory Council, which, under the expert direction of the former chair, Craig Wallace, works tirelessly to provide government with the ammunition to make incremental changes to a sector that is still well behind when it comes to a variety of issues.

I will now refer to some comments made by the citizen's jury in its report. It praises the government where praise is due, as, indeed, we do and I will. However, there are some very large areas of unmet need, and some areas where incrementally we could have done a bit better. This report from the ACT Disability Advisory Council is *The report of the citizen's jury on the community's progress towards Challenge 2014—a ten-year vision for disability in the ACT*. I am reading here from page 5 of that report where the citizen's jury recommends the following priorities for the period ahead:

- More effort on education campaigns and information events targeting the younger generation, business, media and community mainstream organisations.
- Early intervention activities to be given increased focus with greater emphasis to be placed on life long planning for people with disabilities.
- A greater focus to be given on support arrangements being in generic, normative community settings with segregated accommodation and service models being only part of much more comprehensive service delivery solutions.
- Government must provide sustainable funding levels including appropriate indexation without annual fluctuations in budget allocations that impact adversely on quality business planning and service delivery.
- Business should be represented on the Disability Advisory Council and BLITS—

That is an acronym I have not got my hands on at the moment, and I apologise for that. I can provide Hansard with that at a later date. Mr Hargreaves, who is going to stand in the place of Minister Gallagher this evening, may now be able to tell me if that has been rectified, because it is important that business should appear and be represented on the Disability Advisory Council. The report goes on:

- ... ensure that the business sector takes a lead role in improving access for people with disabilities including to employment opportunities.
- Government and business to address barriers to employment of people with disabilities and to create more part-time employment opportunities supported by appropriate training.
- Increased focus by government on facilitating adequate housing and accommodation consistent with *Challenge 2014*.

Attention to these areas should provide greater scope for a future Citizens Jury to highlight the progress needed to make *Challenge 2014* a living reality for people with disabilities in the ACT community.

I commend the council for this work. A huge amount of work would have gone into that. I have had several meetings with the former chair, Craig Wallace, a very diplomatic man indeed, but I can see through the almost veiled conversation we had how very disappointed he was at the lack of response and real appreciation from the government.

There are other key areas that continue to present concern for people with a disability. Eligible people with disabilities who use other disability services are being asked to contribute more from their own limited funds to get equipment from the ACT equipment scheme. I mention also the lack of an increase in the taxi subsidy scheme with voucher amounts that have not increased in line with taxi fares, hence the need for people to pay more cash from their own pocket per wheelchair accessible taxi ride. In relation to funding for individual support packages or ISPs, new rules relating to ISPs are more restrictive and/or onerous regarding individual planning. It seems that they serve the bureaucracy rather than the consumer.

There are certainly issues around employment. People with a disability make up over 10 per cent of the potential labour pool in the ACT but face major barriers to employment and long periods of unemployment. They are overrepresented in the second and third-lowest income quintiles for working-age Australians. More places need to be available in the post-school options scheme as well. These are just some examples where I believe the budget for 2007-08 before us does not seek to serve the disability sector well—if at all in some cases.

There are many other areas that this government has been acutely aware of for some years now, including such things as available funding for people with increased support needs, funding for newly disabled people, acquired brain injury, stroke and spinal cord injury. They have not really been given adequate attention. Another area that I know the previous minister was aware of but, unfortunately, did little to address, was the serious issue of ageing parents caring for their children with a disability. I hope the current minister is across this issue and is making some inroads to hear these parents' concerns. We welcome initiatives to improve access to the Supreme Court and Human Rights Commission, although several key initiatives, including the increase in accessible buses and facilities for non-government schools, seem like short-term measures with decreasing funding in the outyears. Therefore, questions remain about this government's ongoing and genuine commitment to improving access for people with disabilities.

I also note and welcome the announcement today that the government will be reviewing the availability and adequacy of disabled parking in the ACT. That is very good news. Perhaps more can be done to impose tougher penalties on people who insist on wrongly using car parking spaces set aside for people with a disability whilst the government is about it. More broadly, the budget fails to address systemic workforce and viability issues facing the community sector. Although budget allocations in some areas are designed to respond to client need, they do not address

the systemic challenges of poor wages and conditions, high staff turnover and skill shortages within the sector. We recognise that there are shocking skill shortages in this particular sector, but there is very little focus and future investment apparent in this budget in developing the community sector workforce. Accordingly, the funding for disability and mental health services could end up being meaningless because of the skill shortage unless the government shows some innovation here.

To add to and recap some areas of concern, it is worthwhile to place on the public record some matters raised by People with Disabilities ACT, a peak consumer voice for people with disabilities in Canberra. This was a report that People with Disabilities have recently put out, and it is a dynamic document. It is a living document, continually updated. Let us look at some of the issues that they raise. First of all, there is access and disabled car parking spaces. As I said, I welcome the review of parking in Civic; I think that is terrific. Well done to the government for that. But there are still insufficient spaces available in Civic within an appropriate distance of Garema Place and City Walk. Undercover drop-off points at shopping centres for people with disabilities seem also to be a matter of contention.

Mr Hargreaves: Point of order. I am sorry, Mrs Burke; I do not mean to interrupt you, but this is the subject of a question on notice from Dr Foskey and is on the notice paper. You may have missed it, because it has only come out in the last couple of days.

Mrs Dunne: She can still speak about it.

MRS BURKE: I can still speak about it.

Mr Hargreaves: Yes, but you cannot debate it, that is all.

Mrs Dunne: No, you cannot ask a question if it is on the notice paper.

Mr Hargreaves: Just in case you were not aware of it, that is all.

MRS BURKE: Thank you, minister, I appreciate that. (*Second speaking period taken.*) Undercover drop-off points at major shopping centres for people with disabilities is an issue. A wheelchair parking scheme is needed and two levels of disability parking. People with Disabilities talk about building access, that the ACT building code is in place and is clear about accessibility. That is good news. Some good stuff is happening there with the building code. Many older buildings remain inaccessible until major refurbishments are done. Obviously, a lot of this cannot fall on the government, but it can be working more actively and energetically with the community to make sure that these things are speeded up in whatever way we can.

With regard to general access in the community, many major suburban play areas and parks are not accessible, even for adults not wanting to use the equipment. I really applaud the government for the swings for people with a disability—liberty swings. The minister and I both have the same feel for people.

Mr Hargreaves: Buzz—we got a real buzz out of it.

MRS BURKE: Yes, we did. We get a real buzz out of it. The minister was very gracious in allowing me to jointly launch the one in Black Mountain. I understand there is one in Tuggeranong. Hopefully we can spread those across.

Mr Hargreaves: Up in the north, too.

MRS BURKE: Up in the north, too. I thank Rotary for initially bringing this to my attention quite some years ago now, and I really applaud the government for taking on this initiative. I do praise it there. Unfortunately, suburban footpaths are often not accessible due to disrepair. We heard this talked about when we dealt with territory and municipal service. We have talked already tonight about serious lack of spaces and limited hours for education post-school options with nine students due to graduate from Black Mountain school this year. There are only five 10-hour places for the north side. I think we really can focus on some of these things, which are not going to use huge amounts of money but will obviously alleviate the situation in a very critical way for a lot of people.

Moving on to health and equipment and ACT Health Services, unfortunately, there seems to be—and I am hoping that the minister will pick up on this in *Hansard*—an attitude to people with disabilities within the sector. It may be some sort of cultural shift or change or education campaign that we need, but we need to get the community at large to feel very comfortable with people with a disability.

Access to ongoing community nursing for chronic conditions is also an issue. Community health intake line is a barrier when seeking services, especially when consumers know exactly which service they need—that is, when a GP or other referral is not enough. Other concerns are the bureaucratic referral system, long waiting lists for specialised wheelchair and posture seating service. Many of us take sitting down and getting around for granted. Clearly, we have a problem here if we cannot expedite people getting specialised wheelchairs and posture seating. There is a real issue there. The equipment scheme, as I have said already, with a lack of funding and limited lists of items, is possibly the worst scheme in the country by their observations. Another issue is the cumbersome, inconvenient and unresponsive booking system for wheelchair repairs. Staff are enthusiastic and helpful but overworked.

There are many more issues to talk about, and I may run out of time, but we will see how we go. I thought it was worth putting all of these things in *Hansard*. We need, as I have done with the public health system, to put things on paper and have a public debate about this in the hope that we can move forward. Yes, my job in opposition is to hold the government accountable, to agitate and make sure that people's voices are heard. There is a chronic shortage of support workers for people with disabilities, trained or untrained. Families have to pick up vacant shifts and this leads to added stress and family breakdown.

Disability ACT strategies are aimed at ISS workers, not improving the situation for the community at large. There are restricted trade practices by some employers towards support staff—reducing the overall available support hours to the community. Low rates of pay and ambiguity of awards are all things that we really need to get our

heads around in the not too distant future. Some support workers' attitudes towards people with disabilities, their clients, are unacceptable. They have been improved within the past two to three years. We thank the government for any impact it has had in this area, but still more can be done. There is little or no choice for people with disabilities in selection of support staff, which adds to the problem in many cases with a bad personality fit. I think we can do better there, perhaps to look at the matching of clients to support workers. Surely that would be somewhat of a simple thing. It would not add stress to the support worker or the person with the disability.

I think there is an issue with the quality of training. It has been said that staff with certificate 3 qualifications are ill-prepared for work in the community, and this is a complaint from the staff as well. So if they are feeling ill-equipped to go out there and not confident, then I think we really need to revisit that whole training aspect so that both consumer and provider will be confident. Voluntary support is virtually non-existence particularly for physically and intellectually disabled, who are reliant on family and friends. It seems that there is no program in place to encourage volunteers. Hopefully Ms Porter may pick up on this and we can all get onto Lorraine Higgins at Volunteering ACT.

I will be careful not to say too much more about the transport issues but there are some whole issues around wheelchair accessible taxis. I think we have to applaud the government for increasing the number of wheelchair accessible buses on the roads. That is good news. The number of dedicated routes for wheelchair accessible buses does not appear to have increased. People with Disabilities point out two routes here—routes 34 and 84. A couple of other things would help. Some drivers still drive too fast through corners risking potential wheelchair tip-overs. Of course, none of us in this place really know what that would feel like. A number of bus stops, including some on accessible routes, simply are not accessible.

The question into the future is: how will this government tackle the issue of funding that is associated with this section of our community? It is a fact that the Stanhope government simply cannot continue to ignore their plight. Perhaps we may see some surprise come out of the war chest next year. Indeed, it will be an ongoing issue for all of us in this place to consider the fact that we must not only talk the talk on inclusion, and no more so than the Stanhope government that must now put action and funding to the rhetoric.

DR FOSKEY (Molonglo) (8.33): While, on the whole, disability services is one of the areas that the ACT government is getting right, ACTCOSS and ACT Disability, Aged and Carer Advocacy Service, ADACAS, have said that there are problems in relation to service accessibility and service quality. ADACAS, in particular, has said that there are significant problems relating to the individual's right to respect and courtesy and the right to be informed, consulted and party to decisions made about them. They say the likelihood of progress in any particular case often relies on the goodwill of particular staff members.

Some of that resistance comes up in regard to younger people in nursing homes. There remains a big battle when it comes to keeping younger people with very high medical needs out of nursing homes, even though it is generally agreed that this is not an appropriate form of care. Despite pronouncements to the contrary, nothing, it seems, is happening quickly enough.

While most people in the field would believe that they do, or that they hope to, treat people with courtesy and respect, it just does not always happen. Furthermore, individuals need to put their case strongly if they are to get the support that they hope for and need. These two goals, courtesy and respect and putting your case, often conflict. That highlights the importance of advocacy bodies taking up the case for individuals and pursuing systemic issues.

The newer arrangements in regard to housing, both in the SAAP sector and inside Housing ACT, only highlight that need. Perhaps problems of conflict and lack of courtesy and respect are now being diverted from individual constituents to community organisations, rather than being addressed. It is better if conflict is tackled wherever it occurs, rather than being displaced.

There is the overarching issue of the disability reform project, which has been in train for several years. While it was driven by chaotic events in government-managed disability group houses, the subsequent inquiries and reports set up a reform process running right across the government in community sectors. Out of that process came *Future directions: a framework for the ACT 2004-08*, which has provided the policy framework for the sector ever since then.

This March, the department commissioned a mid-term evaluation of the framework by Dr Michael Kendrick—although 2007 it is not quite mid-term, is it? Dr Michael Kendrick, who is a respected international practitioner in the disability area, worked on that report from March to May in 2007. He engaged a number of nationally regarded specialists to work with him on the evaluation, which looked at the adequacies of current projects, the gaps or oversights that needed to be addressed and whether the existing model does in fact provide an appropriate level of community engagement and consultation.

I find no mention in the budget paper of the findings of that review or of any process to implement those findings when they come forward. The existing priority in the budget simply restates the government's commitment to work with community and business groups within the framework. I am asking the government to commit to releasing the Kendrick evaluation. It is profoundly important that service providers who work within the framework get to see and respond to the evaluation that they have contributed to and are full partners in designing and delivering the implementation of improvements and changes that flow from it.

The strategy ends in 2008 and we need to know what is going to happen next. The Kendrick report will have made recommendations. Is the government taking them up? Will there be more community consultation on what happens after 2008? The time for discussing that is right now.

I would also like to take this debate as an opportunity to raise the issue of social employment and disability. There is a small amount of this in the ACT already, and Mrs Burke has already touched upon the difficulties experienced by people with a disability in finding employment. I think this is something that could certainly be explored further.

For those who have not heard of social employment or social enterprises, I am talking here about a particular type of enterprise which largely employs people with a disability when they finish school. It is a way of using business methods to help achieve social objectives. There is a company called Cumberland Industries in Sydney—I refer members to Michael Duffy's article in last Saturday's *Sydney Morning Herald* if they want to read more about it—which has been described as a world-class social enterprise that we should look at closely.

Cumberland Industries provides training and vocational support opportunities for people with a disability. It has six branch locations throughout western and north-western Sydney. The company has a support staff of over 50 people and employs over 500 people with a mild disability who are trained across a range of different manufacturing and packaging operations. The company is also a registered charity and receives funding from the federal Department of Family and Community Services. This is the type of initiative which not only provides employment but has so many other social benefits and gives people with a disability an opportunity to feel like—in fact, to be—productive members of society.

Matching that kind of activity is an approach to procurement, known as social tendering, where the social benefit of engaging community organisations and business to deliver products or services is taken into account in the procurement process. I note here that there has been some thoughtful work undertaken in various nodes of the ACT government to look at how to improve the vocational options open to a wide range of people living with disability and disadvantage. That work needs to be pulled together with the possibilities of social firms and social tendering included in some kind of meaningful whole-of-government strategy to improve life outcomes for a range of people in our community.

Given that this government seems to have more money than it expected, it could take the opportunity to invest in far-reaching projects with outcomes that will make a significant difference, socially and economically, in the future. This could provide training and employment and income, as well as social engagement and self-esteem to a number of people and groups currently finding it difficult to get work and for whom traditional workplaces are not appropriate.

I want to turn to community development and policy. In the first instance, it has been ACT community services that felt some of the hardest cuts of last year's budget. Now, it could be that the minister stood up for the SAAP sector, as has been suggested to me, and that the cuts to that part of the community sector were not what they might have been. That is marginally reassuring. Nonetheless, the impact of the cuts in the sector overall have yet to filter right through to the services on the ground to the strength and morale of the community sector workforce upon which the services depend. In that context, cuts to peak organisations such as ACT Shelter and the Coalition of Community Housing Organisations of the ACT undermine the capacity of the sector to support government policy development and to advocate for community organisations and the people they work with.

Other cuts are undoubtedly having an impact on the demand for community-based services. The school closures directly affected a relatively small number of students

and families, but a higher proportion of those students are disadvantaged or come from marginalised communities. Of course, a much greater proportion of parents and students are affected by the flow-on impacts of these changes. The closure of shopfronts and the slashing of bus services, for example, have had tangible social impacts on just these people, with flow-on consequences for government and community services.

The Community Inclusion Board is probably the body best placed to conduct some of this analysis of the impacts on community services and the community sector of last year's budget. While I have already expressed my regret that such an analysis was not conducted prospectively prior to the 2007-07 budget or even prior to this most recent budget, it is even more concerning that there is no funding built into this budget to closely monitor and evaluate the impact of the decision to benchmark funding against the Australian average, which we understand the secret functional review was asked to do. *(Second speaking period taken.)*

One of the priorities of this budget is "continuing to implement the final phase of the whole-of-government ACT homelessness strategy". Last year's ill-considered budget hit the agencies involved in its delivery very hard, and it is still hitting them. It is stupid and self-serving to pretend otherwise. It is worth looking closely at how these cuts are affecting the strategy's capacity to deliver long-term—in other words, meaningful—outcomes.

The functional review apparently judged ACT SAAP services as less efficient than those in other states because they did not process as many people. Those services are now being run much more tightly to this department's agenda. After the cuts, service providers no longer have the time to ensure that the people they see get their kids to school, talk to the right bit of the Centrelink bureaucracy and actually sort out a few issues so that they can move out of emergency housing into something more secure. In the eyes of the functional review, that kind of support was inefficient, so the no-wrong-doors policy, which is so clearly about being able to demonstrate more bed nights for more people, is putting inappropriate people into refuges—pushing people out when they have nowhere secure to go.

Speaking of delivery, to help us understand how government policy, shaped by the functional review, is working, I ask the Community Inclusion Board to deliver its promised poverty impact analysis of the strategy. I think it would find that this numbers game is delivering worse outcomes in the long run. It is no longer helping people out of poverty. It is moving towards a night shelter model, which is about a bed, a shower and a bowl of soup only. I do not see how the government can be proud of that. Maybe that is why we are yet to see the inclusion board's report. It is certainly not mentioned.

Finally, I was extremely disappointed to see that the renew community infrastructure community grants program was discontinued. This was a very good initiative and helped solve a problem which many community organisations face, which is that generally infrastructure is not an allowable project for community grants to fund. Given the high cost of infrastructure, such as IT and so on, it then made it very difficult for community groups to build, maintain or purchase key pieces of equipment or even build a storage shed.

When this grant program was initially launched, the government was very proud of what these funds would help the community achieve. I am hoping that there will be a replacement funding program to suit this particular need in future budgets—indeed, the next budget, which is, I believe, an election budget.

MRS DUNNE (Ginninderra) (8.47): I will be concentrating my comments on matters relating to the operation of care and protection and some related matters in this expenditure item. We should really be congratulating the government, and I think that we should always be careful to give credit where it is due, for some of the innovative programs that we see in the areas of early intervention and care and protection, which are designed—and very individualised in some cases—to address particular areas of need, particularly troubled young people. If we cannot help them to get their lives in order, they are at risk of having a whole lifetime of association with the bureaucracy and welfare organisations ahead of them.

It is an extraordinarily difficult thing for governments to do and I think that, for the most part, we tend, as governments, to shy away from it. But I think that some of the—I learnt a new buzz word—wraparound programs that were talked about at length during the estimates process need bipartisan support and commitment. If we are really fair dinkum about ensuring that especially troubled young people do find a way out of their trouble and find a way to establish more normalised lives where they can participate in the workforce and the community, rather than have people on their backs all the time, they and the rest of the community will be a lot better off.

There is much to be said for the families at risk and early intervention programs that deal with parents with drug addictions and drug related problems. They try not only to keep these families intact and functioning but also to increase the level of that functionality so that people are not just getting by from day to day but finding a way out of what is often an extraordinarily difficult time. They help to maintain relationships not only between the children and their parents but also between children and their siblings and their wider families, grandparents, aunts and uncles and the like. I think the government should be congratulated for those programs, and I will be watching the way they turn out over the next few years.

We as a community should be taking considerable interest in these programs to ensure that we have the best outcomes. We should be in a situation where we are not adversarial about these programs but, rather, trying to find the best possible solutions. That means from time to time tweaking the problems rather than criticising when things go wrong and, if things go wrong, finding where they went wrong and how we can improve the situation.

In the area of care and protection, there are a few issues about which I am concerned. The minister at the time expressed her own concerns about the fact that the staffing numbers are down in that area but that there had been a fairly successful recruitment and the numbers had gone up quite substantially. I did question during estimates the effectiveness of the overseas recruitment. The figures indicate that it was a fairly successful program. But I hear rumblings from time to time that it is not as successful as the sheer figures would indicate, and I will be watching this.

I am also, along with the minister, concerned about the falling numbers of qualified staff in care and protection. When the numbers drop, the caseload of the people that are left behind increases and there is often not only a downward spiral of morale and the like but also a downward spiral of quality care because you cannot spread people too thinly. I note today that many of us are waiting for the third report on consultation from the review of the Children and Young People Act. This is taking an awfully long time. I have reservations about the size of the legislation, and there may be better and more efficient ways of putting the legislation together.

Perhaps it is appropriate for us to just split it up between ministerial responsibilities, with a care and protection area and a compliance and enforcement area split between the Attorney-General and the Minister for Children, Youth and Family Services. I think that there are other ways of doing it. I am very concerned about the size of the legislation, but mostly I am concerned about its non-appearance. The minister said that it would be with us in a very few weeks. That was back in June. I had expected to see it in this sitting period. We do not see it, and that means that we do not have any likelihood of seeing it until September.

I also want to place on the record that, when we do see it, I do not want it to be railroaded through this place on the ground that there has been lots of consultation and “don’t you worry about it, members of the Assembly; we are from the government and we are here to help you”. The legislative review functions of our committee system are important, and this will be an occasion when it will be necessary—in fact, imperative—for members of the Assembly to be involved in the legislative review. I think that there should at least be some reference to a committee to look at this piece of legislation. I am quite happy to facilitate that happening and making sure that it happens expeditiously. I think it is something that must happen.

One of the sleeper issues that came to the Assembly’s attention in the course of the estimates inquiries is what I consider to be the alarmingly large number of indigenous children who are in the care of the territory. Of the 505 children in the care of the chief executive, 101, or one-fifth—20 per cent exactly—are indigenous. I think that there was a reluctance by the minister and the department to delve into why that might be and what measures we are taking to address that number. In this day and age there seems to be a reluctance to talk about these issues, but we will not find any solutions to them until we are prepared to talk about why 20 per cent of the children in our care are indigenous when they represent perhaps six per cent of the population of nought to 19. This is an alarming matter.

I want to mention a couple of other issues. There has been pretty much bipartisan support for the Audrey Fagan scholarship, but it was entirely unclear during estimates how the scholarship will operate. I am a little concerned that there might be the grand gesture at the time, saying that we need to mark the contribution of this woman who died in tragic circumstances with little or no thought about how the scholarship might operate, whether there will be scope for endowments to contribute to the scholarship and whether there will eventually be a pool of money that will be self-generating with the scholarships funded out of the interest on that pool of money.

There is also very little guidance coming from the government about how that money will be allocated, to whom and to what sorts of people. Whilst I am not wanting to

rain on people's parades, I think that we should be very careful to ensure that the well-intentioned beginning does not peter away and that the memory of the person we are trying to mark is not somehow shown a lack of respect because we have not got a clear idea how the scholarship will be administered and how it will be funded in a sustainable way. (*Second speaking period taken.*)

In conclusion, I want to make some comments about the youth detention centre, which is now called the Bimberi Youth Justice Centre. So some of Quamby is now Bimberi, and. I want to comment on the way this has changed. Those of us who have been around for a while would remember that some time ago a large amount of money was set aside—admittedly, for the most part not spent—to upgrade Quamby and then it was eventually decided that Quamby was un-upgradeable.

But there has still been a fair amount of money—an extraordinarily large amount of money—spent on a demountable building in the last couple of years. Then the minister went to cabinet and got \$20 million, which was then doubled to \$40 million, for the new centre. It was eventually decided to put the centre at Mitchell and it is now being called Bimberi. I note that the money has now gone to \$42.5 million; there is an escalator factor in the funding.

I have to pay credit to the minister, who seems to be much more successful than the Attorney-General in getting money for detention facilities. He does not have an escalator in his funding and the result is that we are getting fewer and fewer beds for more and more money at an increasing cost per bed. I notice that that \$40 million for a 40-bed facility boils down to just slightly more than a \$1 million a bed, because it is \$42.5 million.

I note also that the Bimberi Youth Justice Centre will provide Gungahlin with its first swimming pool. There will be a swimming pool at the Bimberi Youth Justice Centre while residents of Gungahlin do not have a public swimming pool. There is one at a health club, but there is not a public swimming pool which is accessible to people who cannot afford the health club rates and fees. I hope that we might be able to have some negotiations whereby the people from Gungahlin can arrange weekend access to the only publicly funded pool in Gungahlin. Maybe there will be visitors' time.

Generally speaking, this is an extraordinarily difficult and fraught area. It deals with families at their most difficult times and when they are their most vulnerable. I would like to put on the record my general satisfaction with the progress of things but reiterate my concerns about the decline in the workforce, which is something that we have to be vigilant about, the lateness of the legislation—it is well and truly overdue and it has been an extraordinary long time in coming to fruition—and, in particular, the high proportion of children of indigenous origins who are in care. This is something that we as a community need to do more about.

MR SMYTH (Brindabella) (9.01): One of the issues with this budget is being able to identify the commitment of resources—that is, staff and funding—by the Stanhope government to indigenous affairs. If you asked whether anyone knew where indigenous affairs appeared in the budget, you would basically get blank looks, because indigenous affairs is included in output class 3.2, community affairs, under Disability, Housing and Community Services, lumped together on page 198 with

multicultural affairs, ageing and the status of women. Given this approach to being open and accountable about resources—

MR SPEAKER: So why aren't we dealing with it there instead of here?

MR SMYTH: This comes within Disability, Housing and Community Services, Mr Speaker. It is in output class 3.2 on page 193, Disability, Housing and Community Services. But that is the point: why are we dealing with it there? Who knows where it is? It is not possible to identify what resources are committed in the 2007-08 budget for any of those areas—multicultural affairs, ageing, the status of women and Aboriginal and Torres Strait Islander affairs, because they are lumped together. This has been raised before in areas involving other portfolios, and you have to ask: what does this say about the commitment of the Stanhope government to indigenous affairs?

We then have the fiasco over the location of the healing farm. We will not go into whether or not the documents had been supplied. They clearly had not been supplied; community members had not seen them. Mr Stanhope's statement on Tuesday night that they were on the web and that they had been made available to members of the opposition was just not true. The fiasco regarding the healing farm is even more concerning when the Chief Minister is saying that it should be in Hawker. The "bush healing farm" should be in Hawker! Last time I looked, Hawker was a suburb. If the Chief Minister had actually spoken with the indigenous community, he would know that they genuinely want it in the bush. They want to take people with difficulties—Aboriginal people in particular but the farm will be open to all—out of the city so that they can reacquaint themselves with the land. It is a worthy project, and I would suggest that the Chief Minister should talk to those proposing it. They have selected some sites in the south, particularly in the Ingledene area, which would be a fabulous place for a bush healing farm.

The Yarramundi Reach centre came in for some questioning during the estimates process. As many would know, the former site of the National Museum was handed over to the ACT government and we now have a cultural centre on Yarramundi Reach. But the problem is that there has been a very slow spend of capital funds that have been available for some years to develop the centre. During the recent estimates hearing, I asked about the progress with capital works on this site. The answer I received was that the first stage of capital works would upgrade the hydraulics and other systems. I repeat: the first stage.

You have to ask: what has been happening on this site? According to my records, the first record of this capital works project appears in the June 2001-02 capital works progress report, with a value of \$2.025 million and with a completion date for the first stage of June 2002. In the latest report that I have, for the December quarter 2005-06—because the government has denied us access to these reports—the value remains at \$2.025 million and there has been a spend of just \$0.6 million. It now has a completion date of December 2006 but do we know whether it has been completed? No, because the reports have failed to be tabled. Furthermore, the answer I have just received says that the project has now been delayed for approximately six months, which would bring it to June. It is quite extraordinary. So I ask again: what is happening on this site? I am now being told that the first stage of the project is still being undertaken. I certainly have a number of concerns about that.

There is also the question of management of the centre. We have concerns, and they were expressed during the estimates hearing, that the structure of activities undertaken on this site could be better developed. Indeed, the head of this area, Mr Manikis, said:

Can I just say that over the last three years there has been a level of activity. I must say that it has not been to the level that we would expect in terms of its cultural programs ...

Mr Manikis then went on to say:

However, we will be doing much better on the cultural side. What we are aiming to do is to see if we can create a facility that is quite dynamic in the cultural sense and to bring the broader community to that facility.

The estimates committee was told that we could expect more. Later, the committee was also told that efforts would be made “to bolster up the cultural side” of the Yarramundi Reach centre. So it would appear there are reasons to be concerned about the overall management of Yarramundi and we would be looking to the government to make sure that these facilities are used properly. It is an incredibly beautiful site; it should be used wisely. I have to say again that the lack of quarterly capital works progress reports impedes the ability of the opposition to hold those who are responsible accountable for all that takes place on that site.

Within the community, some good things have been done. The Winnunga Nimmityjah relocation out to Narrabundah is going incredibly well; they are providing a large number of services. But with other Aboriginal service providers, particularly in housing, there are concerns in the community about what is really happening. Are they functioning or are they not? Are they being effective? Does it represent good use of government money? Is it delivering for the Aboriginal community?

We need to look at the services that are being provided and at who is doing well. Sun Tzu said in his strategy, “Reinforce victory—walk away from defeat.” If buildings are empty, if buildings are not being used, if grants are not being fulfilled then let us make sure the money goes to those who can and will deliver the best outcomes for Aboriginal and Torres Strait Islander people in the ACT.

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing and Minister for Multicultural Affairs) (9.07): I would like to acknowledge the remarks by Mrs Dunne and welcome her support for child protection programs. That support is very welcome. The only way that we as a community can tackle these really difficult situations is through such support—and perhaps even tripartite support.

I advise her that consideration of how we can commemorate Audrey Fagan continues to occur, and we do share her views. Audrey Fagan was probably one of the most remarkable women I have ever been honoured to meet, and that consideration continues.

The Stanhope government is committed to supporting people with a disability and ensuring that our community enjoys the best disability services possible. We have

established a robust disability services sector and we have supported the needs of people with disabilities and the families who care for them. Over the last five years prior to this budget, we have provided approximately a 25 per cent increase in disability investment. That increase has gone into transport; supporting young people; addressing unmet need; intensive care and treatment programs; children with high and complex needs including autism; additional therapy support for children with high and complex needs; and meeting the increased costs of disability support staff in relation to relief support staff. Essentially, we have provided additional investment in this critical area in almost every single budget.

The Gallop inquiry demonstrated what can happen when governments take their eye off this critical area. Through this budget, we are continuing to ensure that we do not do so. The \$15 million investment in this budget represents the most significant funding increase for people with disabilities since self-government. I know this from my own tenure as minister for disability services, and I applaud my colleague the Deputy Chief Minister for her tenacity in achieving this result.

The new funding will enable people with disabilities to access much needed accommodation and increased carer support, access to respite and improved community access programs. The funding is allocated at \$3 million in the first year, with an increase to \$4.1 million in the second year, acknowledging the ongoing demand for support.

This increase for the disability sector is substantial. It recognises that there is unmet need in the community, that we are trying to deal with that but that more is needed to be done. This will target supported accommodation, additional respite services, community access places and individualised funding. Some of that will be provided by the community sector because they have expertise in this area. The government has already received feedback from the sector that the strategic direction of those funding decisions has been warmly welcomed. The government looks forward to working with them to implement the best arrangements and the best models that we can to support those members of our community who need such assistance.

Community agencies and Disability ACT have been working with a number of people who have high support needs and diminishing support or who have been receiving non-recurrent funding for over two years. This includes people whose support needs are escalating because of a deterioration in their physical health, people who need intensive behavioural support, carers who are ageing and families who have been assessed for a priority service but who have had no surety of funding. These people will be given priority for assistance.

This new pressure is coming from a range of different factors. It is coming from people surviving illnesses and accidents that they would not have survived in the past, and who require ongoing care. There is also a new group of people with a disability: people whose parents have been caring for them for many years, who have never sought help and who are now getting to such an age that it is impossible for them, and they are advocating very strongly about the need for some services for their children—children who are adults. The funding will also respond to the priority needs of young people leaving school at the end of 2007 who will be seeking places with local community access and respite services.

Of course, the ACT government does not solely fund disability services in our community. Under the Commonwealth State Territory Disability Agreement, disability investment is a joint responsibility between the ACT and commonwealth governments. Over the past five years the ACT government has contributed 25 per cent more in disability funding than required under the commonwealth state territory disability agreement. By way of an aside, I can remember, when I was the minister for disability services, the fight that the states and territories had with the commonwealth over making sure that the ACT was not disadvantaged in those discussions. I do not lay the blame entirely at the commonwealth's feet; there are some avaricious states that might hang their heads in shame. However, let me tell you that the biggest barrier to the ACT receiving its full share was the commonwealth government, notwithstanding the delightful Senator Patterson, who was running the case for the commonwealth. Senator Patterson and I actually had a very, very good relationship. She is a wonderful lady, and Australian politics will miss her dearly. I say that quite sincerely.

Mr Mulcahy: She is a nice person.

MR HARGREAVES: She is a very lovely lady. The level of funding provided in this budget is based on a piece of work that has been undertaken around the level of unmet need in our community and the necessity to address some of that unmet need. In the lead-up to the budget, we did a lot of work around prioritising, measuring where we were at and looking at the areas where the money needed to go to. That has been very helpful to date in advocating with the commonwealth regarding the situation the ACT is in.

There is a historical inequity in the Commonwealth State Territory Funding Agreement: we do much worse than other jurisdictions. The ACT is down at the bottom in terms of support from the commonwealth. Where we get 17 cents in the dollar from the commonwealth—and I might highlight this with the shadow Treasurer, in the event that in the year 2085 when they are in government they could actually do something about it.

Mr Mulcahy: Did you say 2008?

MR HARGREAVES: I said 2085. Where we get 17 cents in the dollar from the commonwealth, a jurisdiction like South Australia will get 43 cents in the dollar. We have been arguing that that is unfair. I think the shadow minister for disability services will agree with me here: disability recognises no borders. We should receive the same amount per dollar, regardless of where a young person with a disability resides. It should not matter. We should not receive 17 cents in the dollar for our kids here while in South Australia they receive 43 cents in the dollar. Perhaps we should have the same amount for each of the kids. I am not pointing a finger at anybody; I am just making the point that there is inequity.

If the commonwealth were to match what we are doing, and even if they were to come close to providing what we as a territory government are providing, the benefits to our community would be significant. The government is continuing to negotiate with the commonwealth, and to date those negotiations have been encouraging. The ACT

government is grateful that the commonwealth have approached these negotiations with an open mind.

We acknowledge the commonwealth's \$1.8 billion investment nationally but it is unclear where exactly the funding will go. We are hopeful that some of that investment will come to the ACT, as the need is here. Any additional funding will alleviate pressure on us, the territory government, to try to continue to find the money that we have been finding over recent years to fill the gap.

In conclusion, this budget represents another watershed in disability funding in the history of self-government. Since coming to power, the Stanhope government has demonstrated again and again our commitment to supporting those members of our community with a disability, and assisting the families and friends that support them. This budget includes the largest single investment of funding for disability services—\$15 million—something of which this government is very proud.

I now move to multicultural affairs. Even though I observe that there is a full moon outside, there is no eclipse of the moon, so I am absolutely certain that no member opposite will mistake this part of the budget—although I thought Mr Smyth came pretty close in talking about indigenous affairs when the Chief Minister has carriage of that in his portfolio. Of the seven members of the opposition, three of them have got it wrong so far. I applaud the Deputy Leader of the Opposition and the shadow Treasurer; so far they are on track. I do hope that, by the end of the night, their record is intact. *(Second speaking period taken.)*

Contained within the Disability, Housing and Community Services budget is the Office of Multicultural Affairs. Because it is contained there and not within the Chief Minister's portfolio, I would like to make some remarks about it.

One of the Stanhope government's key priorities for the 2007-08 period is to deliver the highest possible level of service to the community by continuing to strengthen the integration of disability, housing, children, youth, family, therapy, multicultural and community services. In particular, I take this opportunity to advise members of the recent achievements in our city's multicultural community. There is a lot that I would like to share but I do not have enough time tonight so I will only mention a few points.

Through policy direction and program implementation, the Stanhope Labor government has demonstrated its commitment to the enhancement of this vital community. Over the past 2½ years, since I was appointed first as minister with responsibility for multicultural affairs and later as Minister for Multicultural Affairs, I have had the honour of watching this vibrant community grow and flourish. We have a lot to be proud of. This includes our continually evolving and hugely popular annual National Multicultural Festival, the establishment of the Theo Notaras Multicultural Centre, the 2006-09 ACT multicultural strategy, the ACT Muslim Advisory Council, our involvement in assisting refugees, and funding of the multicultural sector through the community grants program.

Every year, the National Multicultural Festival keeps getting better. This great achievement is testimony to the fact that each year the festival changes, becoming fresher, better and more exciting, with more things to do and see, and involving more

and more individuals from the multicultural and wider communities. Planning is well underway for the 2008 festival, and I am already looking forward to it.

In February this year, more than 140,000 people flocked to the heart of the city to get involved in the festival, including about 45,000 individuals at the food and dance spectacular. While next year's festival is currently in the planning phase, there are plenty of opportunities for all members of the community to become involved, and I look forward to seeing the information tent that those opposite have in the community contact arena. This involvement could be through the volunteer program—and I could see the shadow Treasurer wearing a multicultural festival T-shirt and volunteering to go out there and set it up; I am looking forward to that—holding a stall at the food and dance spectacular, selling hotdogs, or proposing an event to be included in the two-week extravaganza. There are so many opportunities, and I encourage every member of the community to find out how they can be involved.

Since its opening in December 2005, the Theo Notaras Multicultural Centre has become home to more than 20 community groups with connections across the globe. This important building in Civic Square has truly become the hub of our multicultural community, and we have all enjoyed attending functions there. On any given day, you will find community events and meetings occurring, bringing people together to help each other or to share their special cultures. The centre is also a place of importance in terms of artistic expression. The foyer of the centre is dedicated to showing works of art by multicultural artists. It is wonderful to walk into the centre and see the creativity and experiences interpreted in paint, sculpture and artefacts on display.

Recently, my department, the Department of Disability, Housing and Community Services, undertook a satisfaction survey of the Theo Notaras Multicultural Centre's tenants. That survey indicated that, overall, tenants—in fact, 100 per cent of them—are happy with the conditions and usage of the centre. It also found that both tenants and general users of the centre were very happy with the location of the centre, its proximity to public transport, its opening hours and its security. That is a great result.

In December last year I was delighted to launch the 2006-09 multicultural strategy. This document is the roadmap to our multicultural future—something that I am extremely proud of. Born out of six ministerial multicultural forums, a ministerial multicultural summit in 2005 and subsequent community submissions, the strategy provides a framework for practical solutions to the issues and concerns raised by community groups, individuals, government agencies and peak bodies.

It has 10 key themes addressing issues including human rights, access and equity, ageing and aged care issues, cultural and religious acceptance, language policy, leadership and governance, migration of parents, settlement services for newly arrived migrants, terrorism, and young people. It is a great strategy and it came up with seven projects. The seven projects that will be funded are: a pre-employment preparation program; capacity building of community groups; the work experience and support program, or WESP; English language classes; promotion of traineeships and apprenticeships as a pathway to employment, improved governance and leadership in community groups; contribution to a youth forum, which I talked about the other day; and a dedicated multicultural bus service for the elderly, which I launched last weekend. I urge all Canberrans to look at this document and see just how vibrant our multicultural community is. Have a look at it on www.dhcs.act.gov.au.

The ACT government is committed to assisting refugees in our community in every capacity available. This includes the provision of free medical care at our two public hospitals, as well as the same access to the ACT's public dental and community health services as healthcare concession card holders, and assistance with housing and support through the Refugee Coordination Committee, which is coordinated by the ACT Office of Multicultural, Aboriginal and Torres Strait Islander Affairs. To help refugees undertake English language classes, the ACT government provides free childcare for parents while they study at the Canberra Institute of Technology.

Each year, the ACT government enhances and supports creativity, cultural awareness and language protection in our multicultural sector through the community grants program. Multicultural community groups are able to apply for grants under three areas of the program, including radio, languages and multicultural. In 2006-07, a total of \$250,000 was provided to more than 150 multicultural community groups.

Mr Speaker, as you may know, the Department of Immigration and Citizenship, through the settlement grants program, provides funding to assist humanitarian entrants and migrants to settle in Australia. But did you also know that in the 2007-08 funding round the migrant resource centre has only been granted \$155,817 for one year under SGP funding? The federal government has cut the funding by 50 per cent compared to the previous grant of \$301,825. I wonder whether Mr Pratt supports this move by his colleagues in the federal Liberal government. I wonder whether he has written to Minister Andrews asking for the funding to be returned. I certainly told the federal minister my thoughts on this very disappointing decision at the recent ministerial conference held in Townsville in June this year. The staff and board of the MRC have been working hard in seeking options for improved management under current lower funding levels and the best way forward for current programs under these new, restrictive conditions.

The ACT government provides funding to the MRC through various projects, including \$36,000 for the program for after-school studies from the Office of Children, Youth and Family Services; community development funding of \$68,420 for the coordination of the community development program; \$15,00 from the Department of Education and Training for an adult community education grant to access English for living language modules; \$1,000 in multicultural grants to provide information sessions for Sudanese men; and an ACT women's grant worth \$10,000 providing a program for spouses married to Australian men. Also, an ACT seniors grant of \$5,000 provided through an ACT seniors grant aims to reduce isolation by running a program through which seniors can write stories for the Immigration Bridge booklets.

Under the enhancing the multicultural sector projects funding, the MRC received funding for two projects: \$10,000 to provide opportunities for English language classes; and \$5,000 for a pre-employment project—a "job prep program". We have a multicultural youth forum. I explained the other day the massive successes that came out of that and the young people who are driving it. We have also done projects on enhancing the multicultural community, and I mentioned the seven projects there.

We have an enormous amount to be proud of in terms of our multicultural community. I have attended a number of functions in recent times. We are all about capacity

building. The changes in the way we do things in the last year or so have been about capacity building. We will continue to work with the community. I do not know how many community groups I have actually met with and spoken to over the last three years; I propose to meet with some more. They are telling me exactly what they want. They do not want handouts; they want help. We will be giving them some assistance so that there is an infrastructure in place and they can support themselves. We have gone past the point of providing the leadership; we now have to provide the resources and the communities will provide the leadership. I am very hopeful that, in the next few months, we will see something emerge which will show that that leadership is alive and vibrant and can be supported by the government.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.14—Housing ACT, \$22,700,000 (net cost of outputs) and \$14,206,000 (capital injection), totalling \$36,906,000.

MR MULCAHY (Molonglo) (9.27): The government is planning to appropriate nearly \$37 million to ACT housing. This is a substantial area of government with a substantial capital investment. Indeed, Housing ACT currently has over \$3.5 billion invested in property, plant and equipment. This is a massive capital investment. We have seen that, despite the ACT's relative affluence, the level of public housing here is far higher than in any other jurisdiction.

This \$3.5 billion investment in public housing compares to approximately \$3 billion in the ACT government's total investments in the superannuation provision account, territory banking account and other investments. Clearly, this is an important area of government, even in purely financial terms. It is important that ACT housing is properly run to preserve the value of these assets and to ensure that this huge capital investment is put to the best possible use, to satisfy as many public housing tenants as is possible and appropriate.

The ACT government receives substantial funding from the Australian government under the commonwealth state housing agreement. Between 1 July 2003 and 30 June 2008, the Australian government will provide, and has provided, more than \$4.75 billion for housing assistance to the various states and territories. This includes funding for public and community housing, as well as home purchase assistance and private rental assistance. Of course, this does not include substantial general funding from the goods and services tax.

The minister has expressed some concern about the renewal of this agreement and about commonwealth involvement in ACT public housing. Yet there are signs that the ACT government is failing in its own management of public housing in the territory. There are signs that the government is failing to ensure that some public housing tenants are contributing properly to the costs of their lodgings. In an estimates committee hearing on 21 June, the minister revealed a strange policy that Housing ACT uses to alleviate problems in rental arrears amongst public housing tenants. Apparently, one of the ways in which Housing ACT is alleviating the problem of rental arrears is simply to reduce the rental payments for some of its tenants when they cannot pay. In other words, this is not really a strategy to manage debt at all; it is just a waiver of part of the debt. And which of its tenants benefit from this generosity?

The minister has revealed that this scheme applies to those tenants who fail to pay their rent—

Mr Hargreaves: If Centrelink is breached.

MR MULCAHY: I am coming to that, minister—because they have lost their Centrelink allowances for the fortnight for breaching the terms of their allowances. This is quite an amazing revelation. It shows that the minister and Housing ACT are, in effect, granting special treatment to those who have breached Centrelink rules that are designed to ensure that welfare benefits come with reasonable obligations attached to them. Meanwhile, those public housing tenants who play by the rules, those public housing tenants who comply with the requirements of their Centrelink allowances, have to pay their rent. So it is an extraordinary situation and it raises a lot of questions about the message that the policy sends out.

There are also signs that there is scope for improvement by the government in the allocation of public housing. In an estimates committee hearing on 21 June, the minister gave a breakdown of the numbers of public housing tenants that are below, at or above their entitlements in terms of the number of bedrooms that they are entitled to under the public housing rules. According to the minister, there are 3,872 public housing tenants that are within their entitlement—that is, the accommodation they have been allocated has the correct number of bedrooms for their family size. There are 3,266 public housing tenants that are one bedroom over their entitlement and there are 1,229 people who are two or more bedrooms over their entitlement. That means there are at least 5,724 spare bedrooms that are allocated to public housing tenants in excess of their entitlements under the rules. Meanwhile, there are 651 public housing tenants that are under their entitlement. This incongruity shows that there is scope within the system for improvement in allocations.

I note that when our own Dr Foskey finally removed herself from public housing during her time in the Assembly, as a paid member of this Assembly, the inner south property in the rather affluent suburb of Yarralumla in which she had lived was sold off in order to purchase accommodation that was more appropriate for the needs of public housing tenants. The government deserves commendation for that. This is an appropriate approach. Properties not filling the needs of the community should be replaced with those that do.

I am not so naive as to say that I do not understand that it is not possible to create a perfect world. Of course, we understand that there will always be some disparity involved here. The residences available for public housing will not always perfectly fit the size of tenant families. Nevertheless, the spare capacity of at least 5,724 bedrooms for those tenants that are over their entitlements should give some scope for better planning and better allocation.

I understand that my colleague Mrs Burke sees a procession of people seeking help in relation to public housing. Whilst I am not suggesting that we will ever get a perfect match, those figures leave one with a very firm view that there is considerable scope for improvement, even if we were to solve the problem of the 651 who are under their entitlement as a first target.

The government has fallen substantially below its target of 85 per cent of routine vacant properties being re-let within 28 days. The government managed to re-let only 70 per cent of these properties within 28 days. Similarly, for properties undergoing refurbishment, the government has fallen substantially below its target of 90 per cent being re-let within agreed program milestones. The government managed to re-let only 70 per cent of these properties within these time frames. This also contributes to having less available public housing for the people of Canberra.

I cannot talk about the housing appropriation without making some reference to Fraser Court, in the heart of my electorate. My colleague Mrs Burke has highlighted serious concerns with the current state of Fraser Court and with the government's slow progress in planning to redevelop this facility. So far, we have not seen a clear time line for progress on this facility, which has become an eyesore in an area which is undergoing enormous development and which has quite a number of tourist facilities. Instead, we have seen an expensive government asset underutilised. We are still awaiting clear answers from the minister on when there will be progress on Fraser Court.

In terms of other areas of public housing in the ACT where there are reports of problems, a number of matters are raised with me by constituents. I receive many inquiries from constituents in public housing in the ACT and I have previously had cause to pass on representations to the minister in this area. I do not think it is appropriate to identify constituents—that is not necessary for the purpose of the debate—or to go into the specific areas of public housing that these concerns related to. But I have sent information, whenever raised, to the minister and I do provide the minister with those details. In fairness, the minister has generally sought to remedy the problem.

In the budget it is reported that only 76 per cent of public housing tenants are satisfied with the provision of community housing. This is an increase on the government's previous performance but we can also see diminishing improvements in this area. Most concerning, as I have already said, is the failure to properly utilise all available assets and the failure to have public housing tenants who breach the rules for social security contribute properly to their rental costs.

Without being in a position to access individual circumstances, and unless the minister can convince me that this has some measure of justice in it, with respect to people who breach their Centrelink arrangements, who fail to honour their obligations and who then, as a consequence, find themselves in difficulties, I do not think it is the role of the territory to start making it more attractive for them financially. I will never argue about people in trying and distressed circumstances being helped by the state but I also think that we have to draw a line in the sand.

Most people in public housing, from my observation, try to do the right thing but there is a percentage at the extreme end that really cause me concern. There are those who cause problems for their areas, their neighbourhoods. I receive a relentless stream of complaints about Manuka, particularly from businesses there, and about people from nearby public facilities causing all sorts of issues. I hear about concerns of a different nature in Kingston, with the facility there, and the problems in that area.

I would like to see us take a tougher stance. My views about people on substantial incomes living in public housing are well known. I have raised it before. I think it is a shameful situation when people who are on substantial incomes are paying so-called market rental which, frankly, I do not think is true market rental. I do not believe that the assets of the territory should be tied up so that genuinely disadvantaged people cannot get into these places.

MRS BURKE (Molonglo) (9.37): I thank the shadow Treasurer for outlining the macro overview of public housing, a portfolio which, as we have heard, amounts to some \$3.5 billion, with housing stock still valued at \$2.9 billion at this stage, I think. The shadow Treasurer raised many issues which I totally concur with. I would like to draw attention to some of the more detailed micro issues.

Given last year's drastic cuts to the supported accommodation assistance program, this budget fails to provide any significant new money in the area of homelessness services and crisis accommodation. That is supported by ACTCOSS and it has a knock-on effect.

Mr Hargreaves: It's not supposed to.

MRS BURKE: The minister is saying that it is not supposed to, but I am saying that it is relative: it is having a knock-on effect right through the sector now. We have made changes to the eligibility criteria for public housing; we swiped a whole lot of people off the waiting list in so doing. As the minister will know, that has had the impact of people having to find somewhere else to try and live. With high rentals and so forth, it is extremely difficult for them to find a roof over their head.

Let me go to budget paper 1, page 21, the Chief Minister's speech. He says:

... a roof over one's head is a basic need for each of us, whatever our age, whatever our family size or our financial circumstances. That doesn't mean we should all aspire to an identical, detached house and garden in the suburbs. What we need is choice. What we need are stepping stones. What we need are options. That's what Labor is determined to create, and today's Budget will help us do it.

It was really pleasing for me to see those words in here. I have been talking about this for years now—about the mixed housing options that we need, about choice being the real thing that we need. As I said previously, many people now do not have a choice. We have a system that has been poorly managed for five or six years. We have had a couple of housing ministers, and lots of talk and lots of forums and meetings. People have put time and effort into this, but we are not seeing the outworking—until recently: there has been a little flurry of activity, which is welcome of course.

The ACT Treasurer, Mr Jon Stanhope, has called for submissions to the ACT budget for 2008-09 by Friday, 28 September. This is much earlier than the usual November deadline. I am drawing that to the attention of people because we have got a critical problem with the housing situation and the SAAP sector that could and will impact upon public, community and social housing as a whole. They are going to have a doozy of a time trying to put a good case together.

I am very concerned about the whole thing—this compounding of cutbacks. Community housing for the ACT is gone now. We have got rid of the chaff, according to Mr Hargreaves, but I think Dr Foskey was saying something about hoping that this is not just going to terminate in some sort of number crunching game—with the cheapest proved not to be best, of course.

There has to be a balance—the shadow Treasurer has said that; I am cognisant of that too—but it has placed enormous pressure on already stretched services like ACTCOSS and ACT Shelter to meet with the community in order to be able to present to the government a realistic picture of the needs, unmet or otherwise, in the public and social housing sector.

I am told that there continue to be serious issues relating to the lack of such services in the community, with people who seek emergency and crisis accommodation still being turned away. Again it has a knock-on, domino effect. Agreeing with ACTCOSS, I acknowledge that some of the affordability measures may reduce pressures on homelessness services in the long term; however, again according to ACTCOSS, their current difficulties will continue to worsen in the short term.

Realignment of the public housing stock is well overdue, particularly when successive housing ministers have known that the greatest demand has been for two-bedroom dwellings. The shadow Treasurer very clearly articulated the current situation and where we as the opposition stand: public housing should mean a roof over your head when you need it, for the duration of that need—apropos the commonwealth-state housing agreement guiding principles.

It is all too obvious that the Stanhope government have allowed existing public housing tenants to maintain for far too long tenancies that do not reflect their specified need. They had to play catch-up and do the right thing. I know that it is very distressing when you are moved out of your home, but we have to make sure that we have a system for the people on low incomes who cannot afford to go anywhere else.

Better management practices and efficiency gains are desperately needed in the public housing portfolio. The one-off funding boost of \$4.3 million, which I understand is to see some 17 two-bedroom dwellings constructed over the next 12 months, is really welcome, but it is indicative of a minister not being able to effectively organise his portfolio and manage funds in order to house the Canberrans most in need for the duration of that need.

We see a concern about the recently proposed transfer of land titles to expand the community housing sector. The ACT government expects the number of properties in this sector to shrink in the coming year. Maybe the housing minister can tell me if that is right or wrong.

I also continue to wonder about the expenditure of the famous—or is it infamous?—\$30 million which was announced, re-announced and re-announced again more times before the last election than I can mention. I am wondering how that is progressing.

Mr Hargreaves: We've spent two-thirds of it.

MRS BURKE: Good. I await the minister's explanation of where all this funding has been expended and what taxpayers have seen for their money. It was like playing the pea in the cup: now you see it; now you do not. There was \$30 million, and it kept being re-announced. People were fooled out there for one moment, for some of the time. Mr Hargreaves did fool some of the people for some of the time, but not all of the people for all of the time. No doubt Mr Hargreaves will once again play with the numbers.

It continues to be of concern to many in the community that there are still empty properties around Canberra. The minister does acknowledge this fact. The delays in getting those properties back online should be fixed even more expeditiously. In the case of the multi-unit complexes that have been decommissioned, it is high time that we saw some action, particularly with the Fraser Court and Currong apartment sites.

The upgrading of our rapidly ageing stock is another concern. There does not appear to be a great deal of money targeted for overall capital improvements to Canberra's ageing housing stock. I note that there was money spent to upgrade new firescreen doors and so forth.

I was thinking, "Will I have enough to speak on tonight?" I do not see that there has been an awful lot of activity in terms of the public housing sector itself. In fact, I think the minister is being fairly quiet. He has just popped his head up every now and again when I have taken problems to him or when the shadow Treasurer has.

One area that I will continue to monitor is the Narrabundah Long Stay Caravan Park. Budget paper No 4 has committed \$600,000 to upgrade infrastructure, with a focus on electrical and fire safety at the park. I am wondering if these works have now been completed. I also await with interest an update from the Chief Minister on this matter. I hope that, unlike the situation that we had some months ago, the residents are now being kept fully in the picture about the situation.

I note with some curiosity that apparently \$20 million has recently been earmarked for the retrofitting of public housing to cut back on greenhouse gas emissions. Whilst the announcement is welcome, it is of concern that the minister will not be seeking any action on this project until early 2008, and then it will be to spend \$1 million on audits. The expenditure of \$2 million a year over the next four years is questionable too. What will this actually provide for? What is it going to purchase? Isn't this just some knee-jerk announcement to try and pretend that the government are doing something to keep the Greens happy? I would also have to ask: how can any money be allocated for works when the audits have not even been conducted?

Finally, let me say that we welcome the increased funding for tenant advisory services, although there appears to be no indexation built into this funding, unlike other community service funding agreements. It is hoped that the voices of tenants will be genuinely listened to. We have seen joint champions and forums. I have gone through all those things before. There was the much hailed minister's housing forum. I know that a lot of tenants spent a lot of time there, really enjoying the sessions and input into it—only to find out that some of the information they put in was cut out and it was not explained why that happened. If we are going to listen to people, let us make sure we do.

Mr Hargreaves: That is news to me.

MRS BURKE: Maybe you do not know about it. Maybe you could look into that, minister.

Overall, this budget seems to be pretty much steady as she goes within the housing portfolio. And it seems to be even more steady than she goes from a minister who is really not on top of this portfolio. (*Second speaking period taken.*) This budget tries to plug a couple of holes but fails to tackle the real issues within the public housing portfolio and lacks imagination and vision.

DR FOSKEY (Molonglo) (9.48): I have had some very good feedback on Housing ACT's management of the Narrabundah Long Stay Caravan Park. I know that there are very complex issues that are yet to be addressed on the permanent approach to leasing and/or licences once the title reverts to the territory, and I trust that JACS is committed to developing an appropriate framework for the long-term solution to those issues. But I would like to thank the ACT government and Housing ACT for their work to lessen the trauma for those 200-plus people in a very difficult situation.

I note that the budgeted outcomes for last year are the same as those for this year but that the actual outcomes for last year are a lot lower. So the percentage of routine vacancies and the percentage of tenants in arrears who are on agreements to manage those debts, for example, were lower than expected.

I am a little bit suspicious of the expectations of agency performance in this budget. The biggest problem I have with Housing ACT's strategy is the wider constraints in which it must work, although there have been some unfortunate decisions made at the next level down which to my mind have been unnecessary and destructive. For example, I am concerned about the impact of the new regulations on older people, particularly women, and people living with disability—the new regulations to move people on to homes that ACT Housing considers are more closely aligned to their entitlement.

Mr Hargreaves: What regulations?

DR FOSKEY: I am talking about the change to the term “security of tenure”. There are important natural supports within communities for older people who may have lost their partner and whose children have moved on. Summing up, there is going to be a great deal of difficulty in working out whether someone who has lived in a house for 50 years, brought up a family there and now has a couple of spare bedrooms is in a house over-entitlement. But that is where the current conversation is leading.

It is widely acknowledged that the longer we can remain in our homes and our neighbourhoods as we age, the better the quality of that stage of our lives. And if it is better for us—better for the person—it is better in health outcomes and cheaper for the community. If social services can be coordinated to support us in our homes, then the cost to the community is significantly less.

There is a similar situation with people who are living with a disability in their homes or have to move. Informal networks of support can keep the happiness and wellbeing

of the residents involved greater, and the cost of support lower, than a move to nominally more appropriate accommodation would provide.

There would be provision for Housing ACT to show considerable discretion in how it applies its move-on powers. However, all the changes to the expectations of housing providers in the ACT, the diminishing resources available to them and the numbers-driven performance requirements provide no reassurance on this matter. That is why the ongoing role of community-based advocacy groups is so important. The unfortunate relationship that has grown up between the government and the community sector ought to be addressed as soon as possible. I know that the government pretends that there are no problems with those relationships and rejected the recommendation of the estimates committee that it seek to repair them.

It is a fascinating thing when one half of a relationship believes that there are problems but the other half does not. There are lots of marriages like that. This is a bit like an old-fashioned marriage where the husband earns the money, argues that he understands better what is needed, needs certain services for the funds he provides, and does not see any need to sit down with his wife and sort out any problems that she sees occurring in their partnership.

Some of these marriage problems are clearly created by the benchmarking requirements that flow from the still secret functional review. On that matter, I would like to say this. We all know that the review was prepared for cabinet, and in that context the government has every right to keep it confidential. There is, however, no obligation—no obligation at all, not even the remote suggestion of an obligation—to keep it confidential. It is simply a choice of this government that the review has been kept secret. If the government is so embarrassed about what it says or does not say that it wants to keep it a secret, it can. But can we just get over the pretence that it has an obligation to do so? Anyway, the performance standards, the limits to access, the shift away from real security of tenure, which is what people signed up to when they signed their tenancy agreements, and the increasing marginalisation of Housing ACT residents are only in part shaped by the secret, embarrassing review.

Another part of the equation is the national context: rental rebates, first home buyer assistance, capital gains taxation advantages, negative gearing provisions and a cut in funding for growing public housing. Looking into the future, if the federal government is returned, we probably face privatised public housing—the Brough vision of public housing, or perhaps the Mulcahy vision of public housing, which I can only imagine will be more tightly focused on only the deserving poor, those with little prospect of pulling themselves into better lives. If those private providers take the approach of this government, it will be able to tighten eligibility to about 20 or 30 people in Canberra, and then it will have a 100 per cent success rate. Those who take a colour-by-number approach to essential social services would judge that a success.

On top of that, we have a booming local economy that both swallows up rental property and drives up the price of home purchases. The combination of this government's desperate desire to look as though it is looking after everyone deserving within the national constraints and local pressures has led to a model of public housing which is socially and economically divisive. On the one hand, the convenient

change to eligibility criteria for Housing ACT has ruled out a large number of Canberra people from the hope of access to public housing. They are trapped in the nether world of increasingly unaffordable private rental accommodation, which in effect means no housing.

I find it amazing that the ACT government, with its Live in Canberra campaign and its desire to increase our population, does not think that the kinds of people who cannot afford to live here might not in fact brighten Canberra's economic future. You do not have to be wealthy or of middle to high income—as one does now to purchase or rent a house in Canberra privately—to contribute to our society and to our economy. I see the loss of these people. We are losing many good people. The less than market rent approach to affordable housing being pursued by Community Housing Canberra might help some of them, but it will not help too many.

Over time, the change to the security of tenure arrangements will push out a few—a very few—of the market rent paying tenants. New tenants already are overwhelmingly those with the highest level of need. I do not just mean financial need; I mean need in terms of being people with a mental illness, people with some kind of disability or people with a drug issue that makes it impossible for them to work and earn a high income.

That means that public housing is becoming welfare housing. There are people who think that is appropriate. It would be all right for them to think it is appropriate if they were not the same people who then complain about the kind of tenants we have in public housing. We will see increasingly stigmatised housing with a shrinking capacity for community building and development and an increasing cost per tenancy, which someone will have to pay—some government somewhere—undermining our broad social commitment to ensure that a home is available for all. Public houses will increasingly hold the kind of people that most people do not want to live next door to. At the moment we have a mix in public housing which acts as a buffer. If you could see the people—

Mr Hargreaves: I wish she knew what she was talking about. She doesn't know.

DR FOSKEY: If you could see the mix of people who live in the Bega and Allawah flats and so on, you would understand—

MR DEPUTY SPEAKER: Order! The member's time has expired.

DR FOSKEY: I would like some more time, thank you.

Mr Hargreaves: Give her another 10 minutes. I can't wait for this. I am being thoroughly entertained by this, Mr Deputy Speaker.

DR FOSKEY: Sometimes you do not know whose side you are on, Mr Hargreaves.

Mr Hargreaves: Yes, I do. You don't know what you are talking about.

MR DEPUTY SPEAKER: Order! Dr Foskey, you have the floor.

DR FOSKEY: I am talking about the mix of people that exists in some of our multi-residential housing. The good people—I know lots of them; some of them are in the joint champions group—who actually hold those communities together would probably not be eligible for public housing under the new criteria. The social work that they do is not counted. The amount that it saves the government is obviously not understood. Look at the criteria for the waiting list. We know that people who are suffering income poverty only still have to wait five or six to 10 years for a public house. It is the people with the highest needs who require the most support. They should be expedited, but we should also be able to expedite the others as well.

Another consequence is the continuing geographic marginalisation of public housing properties and tenants. Burnie Court provides a good example. The site is within easy walking distance of essential services, shops and major public transport links. Once the home of more than 400 public housing tenants, it has been mostly vacant for several years. When finally developed, it will have not the 30 per cent public housing component promised by the previous Liberal government but something closer to 10 or 12 per cent.

The idea of a government and community which give their first priority to those in most need and is committed to an equitable and democratic community is not reflected in the changes that Housing ACT is implementing.

MR HARGREAVES (Brindabella—Minister for the Territory and Municipal Services, Minister for Housing, Minister for Multicultural Affairs) (10.00): I thank Dr Foskey for that expose of ignorance. You cannot sit there, Mr Deputy Speaker, and say such untruths.

MR DEPUTY SPEAKER: I am not, Mr Hargreaves.

MR HARGREAVES: Not you, but I need to speak to the Assembly through your good self, Mr Deputy Speaker. One cannot sit there and speak such blatant untruths—frighten people on the list, frighten people in public housing and expect to get away with it. Dr Foskey says that we will force people out of their homes. That is what she is telling people. She is saying that we are going to forcibly move people with a disability to go somewhere else.

Dr Foskey: Is that what I said, Mr Hargreaves?

MR HARGREAVES: That is what she said, Mr Deputy Speaker. If she does not think she did, she can have another look at it. She talks about regulations—the regulations that will move these people on. Firstly, that is misrepresentation of the first order. No such regulations exist. There are guidelines being developed at the moment which include consultation with the very people Dr Foskey is frightening to death. The joint champions group, the tenants union, Shelter, ACTCOSS, the tenants themselves—all of them are involved in the consultation process to develop the guidelines. If Dr Foskey had the wit to check it out, she would know that we have a management-initiated transfer process at the moment. Do we invoke those powers? No, we do not. Are we talking to the people in the homes? Yes, we are. How dare you frighten these people! You can try and be arrogant in this place, if you wish, but do not do it to those poor people. I will not put up with it.

MR DEPUTY SPEAKER: Order, Mr Hargreaves! Direct your remarks—

MR HARGREAVES: I do not appreciate it, Dr Foskey—at all.

MR DEPUTY SPEAKER: Order, Mr Hargreaves! Direct your remarks through the chair.

MR HARGREAVES: Furthermore, Mr Deputy Speaker—

Dr Foskey: You need to control this man.

THE DEPUTY CHAIR: Calm down.

MR HARGREAVES: Furthermore, where people are in their homes and they either have a disability or a carer that is a very good reason to leave them there. Indeed, we have a program in our refurbishment where we will either refurbish a home or build a brand new one if someone suffers a disability—far from moving them out, Dr Foskey. You should be thoroughly ashamed of yourself at the mere suggestion.

Dr Foskey: I wouldn't have said it if it wasn't true—and possibly I didn't say it.

MR HARGREAVES: It is not true. You know it is not true. You just misrepresent the truth because you have not got either the wit to figure it out or the courtesy to ring us up and have a briefing on it. You have not once rung my office to seek a briefing on it.

Dr Foskey: It is not true, Mr Hargreaves.

MR DEPUTY SPEAKER: Order! Mr Hargreaves, resume your seat. Can I have the remarks directed through the chair.

MR HARGREAVES: Certainly.

MR DEPUTY SPEAKER: And Dr Foskey, please let us not have a game of tennis here.

Dr Foskey: Excuse me; I am leaving.

MR HARGREAVES: You might as well because you are wasting everybody's time.

MR DEPUTY SPEAKER: Mr Hargreaves, you have got the floor.

MR HARGREAVES: Thank you very much, Mr Deputy Speaker. I will deal with Dr Foskey at another time, probably in a public arena. I will challenge you to a debate on it. You cannot frighten these people out there; they have been frightened enough.

This government—the Stanhope government—in this budget continues the \$30 million enhancement in building stock in public housing. It has enhanced the community housing sector by putting out 132 properties in head leasing across the

community housing sector. It has put a \$50 million revolving credit out to the community housing sector. Mrs Burke asked me where the \$30 million went—or where part of it went. It went into 25 properties so far. That answers that question.

Mrs Burke: Is that the first \$30 million or the second \$30 million?

MR HARGREAVES: Furthermore, we have also added to that \$30 million—\$4.2 million in 2007-08. The fact is that we have to build or buy properties, and they vary in their price between \$300,000 and \$480,000, depending on the persons that we are housing. It is their need on the list. Public housing is not cheap housing. It is for those people who need it.

Every single one of those people who were rendered ineligible with the changes to PRHAP was already housed. We acknowledge the difficulties they may experience. CRA—commonwealth rental assistance—for example, needs a shake-up. For example, in respect of CRA, 30 per cent of the people do not need it. For 30 per cent it makes no difference to their particular circumstances; it is making a difference for only 30 per cent or 30-something per cent. If we changed the rules around the commonwealth rental assistance, the money would not go into the pockets of the landlords; it would assist people who are in significant housing stress.

I stress again that public housing is not a pseudonym for cheap housing. The issues of affordability are addressed in the Chief Minister's affordable housing strategy. We need to talk about supply and demand in that. But public housing is not.

We have had enormous successes. In 2006-07, for example, we had 709 applicants from the applicant list housed. Some 96.5 per cent of those housed in this period were high needs and priority people. Some 85 per cent of all tenant households in public housing received a rental rebate during the year. That is a figure we have got to understand. We have got to understand this. We have got 11,500 tenancies out there; we have got nine per cent of the rental market. And 85 per cent of our tenancies are attracting a rebate—85 per cent of them.

Housing is also improving the service that it offers existing tenants. We continue to work for them. Our rental arrears have gone down. Mr Mulcahy was talking about rental arrears. It is less than \$1.2 million. Cop this: 1.75 per cent of rental revenues—99 per cent of rent charged last year was collected. That is a better return than the private sector. It is a better thing.

On top of that, for those people who are behind in their rent, we work with them to change their circumstances so that they can do it. What we do not do very often is what happens in the private sector: evict them. That is because it is a revolving door. If we evict them, they are back in the homeless sector, back in the community and back in public housing very shortly. It does not make economic sense and it does not make social sense.

Mr Mulcahy: Isn't there an incentive not to?

MR HARGREAVES: The incentive is that we work with them; we bring the social supports in. That is the bit that Minister Brough has not figured out in his changes to

the commonwealth-state housing agreement. He only talks about bricks and mortar; he does not understand that a significant amount of CSA funding goes to social supports.

Mrs Burke: That is not true.

MR HARGREAVES: It is true. Mrs Burke says that it is not true. She was not sitting at the table.

MR SPEAKER: Do not take any notice of her interjections; they are disorderly. Direct your comments through me.

MR HARGREAVES: Okay; I am talking to you, Mr Speaker. She was not at the meeting of commonwealth, state and territory housing ministers to talk about this. The commonwealth does not even have a housing minister. I do not know what on earth Mr Brough was doing there. In fact, he was not there. Senator Scullion was sent to scurry along instead.

Dr Foskey and people like her claim to have the ear of the tenants. I reject that. So far, I have had six ministerial housing forums, the ministerial housing summit and the tenants summit of February last year. My department has had an incredible amount of consultation with all of the people in the advocacy industry out there. I have made comments that there may be too many peak bodies. There is only one now as far as we are concerned, and that is ACT Shelter. We will be entering into a relationship with them. That puts to bed, I hope, the precious comments of Dr Foskey. I will just wait for the general natter and everybody else to calm down, Mr Speaker.

MR SPEAKER: Order! Are you continuing, Mr Hargreaves?

MR HARGREAVES: Yes, I will, Mr Speaker. I can report to the Assembly that Housing ACT is currently undertaking further community consultation on public housing reforms announced in April of this year. (*Second speaking period taken.*) This is the bit that angers me so much about Dr Foskey's outburst. It is just ignorant in the extreme. All she has to do is say to my office, "Will you get me a briefing on where we are at?" The answer to that would be: "Of course; in a matter of seconds." I want to express my appreciation to the opposition: a lot of the reforms we have undertaken in the public housing and the community housing sector have been supported by the opposition.

Mrs Burke: We suggested a lot of them, don't forget.

MR HARGREAVES: We could argue about that. It is not all about me; it is about somebody else. There was an accusation, particularly out of the Greens, that we had no confidence in the community housing sector, that we were giving them a hard time. Certainly we gave the sector a shake-up—as we did ourselves. When we were required to reduce the back-end administrative costs, we passed on the same obligations to the community housing sector. There were people out there who were spending 30 per cent on administration costs. That was really silly.

The community were demanding that Housing ACT tighten their belts, so we passed that obligation on. The overmatching funds of \$485,000 were cut out of the sector. Do you know what happened, Mr Speaker? The sector rose to the challenge. Shelter was one of the first to come in and reorganise and say, "Okay, this is what we need to run." We have been working with them, I think, particularly well—so much so that we now have the great confidence in Shelter to recognise them as the peak advocacy group. We had so much confidence in the community housing sector that we put those 132 properties out—and \$50 million worth of revolving credit. That does not sound to me like a lack of confidence.

Some of the changes to PRHAP were interesting. What we have done is reduce the waiting list to change the paradigm from cheap housing into housing for people in need, making it such that the allocation of premises is based on the requirements of people on the list, and at the same time put significant funds into the public housing stock acquisition system over and above those amounts of moneys which are recycled anyway in the salt and peppering program.

It is a cheap shot to talk about people in Burnie Court—that we do not put more public housing for people near Woden. We have refurbished or renovated that block at Burnie Court. That was a cheap shot. In fact, that particular development at Burnie Court is going to be sensational. There are going to be a significant number of older people who will be able to move into that particular part of the world in a whole heap of different configurations. I am told that the building works are not far away at all. We are not talking about years et cetera. We now have final approval for exactly what they are doing. We have a series of apartments; we have freestanding units; we have houses; we have multistorey buildings; we have adaptable housing; and we have public housing in there. And what is it? A short walk to Woden.

Dr Foskey does not seem to know that. If she does, she does not acknowledge it. What are we going to do with the money? We are going to use it to buy other properties. She criticises us because we are saying to people, "You might have too many bedrooms." We are going to say to people, "Yes, you might have too many bedrooms. Would you like to consider moving to something else?" We are going to offer somebody something in the same suburb with their same supports and their same networks intact.

It will be a brand new place to replace something which is 30, 40 or 50 years old. If they say to us, "No, no; here's my reason for wanting to stay: I'm attached to this because it has been blah, blah, blah," we will go away. But if they say, "This is great; I'll move into a two-bedroom house in the same suburb, closer to the shops, with a tiny yard—I can't mow my other one—where I don't have to do my eaves and all that sort of stuff. Yes, I'm happy to do that—with brand new appliances. Happy to do that"—what we will do is either fill that other place with someone who has the requirements to suit it or sell it and use the money from the property sale to build or buy something appropriate for the next person on the list. We have a management-initiated transfer of power right now. That is the one that Mrs Burke keeps insisting I use for dysfunctional people, and it is the one that we do use from time to time. We could use it a lot more if we wanted to, but we do not.

Mr Speaker, I think we have said enough on the housing issue for tonight.

MR SPEAKER: I agree with that.

MR HARGREAVES: Mr Speaker, can I just add that I am really grateful for your patience; I am really grateful for your sardonic sense of humour.

Proposed expenditure agreed to.

Declaration of urgency

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services) (10.16): I move:

That this bill be declared an urgent bill.

The government is proposing to deal with the remainder of this bill as an urgent bill. For the past two or 2½ days there has been significant debate in this place on the Appropriation Bill. The bill was debated for some time on Tuesday, it was debated again yesterday in lieu of private members' business and, finally, it has been debated all of today and all of this evening. As it is now almost 10.15 pm and we have to deal with quite a number of appropriation items, including the Department of Justice and Community Safety, education and training, the CIT, the Exhibition Park Corporation, the legal aid commission, the Public Trustee for the ACT, Actew Corporation, the Cultural Facilities Corporation, the ACT Gambling and Racing Commission and the Treasurer's advance.

We would face a long debate into the early hours of tomorrow morning. I do not believe that is in the interests of good debate in this place. Members have had ample opportunity to deal with a range of issues both in the in-principle debate as well as in the detail stage debate that has occurred to date. It is now incumbent on the Assembly to set a time limit on this debate to provide for the remainder of this bill to be debated and to be passed.

This is an urgent bill. The government requires the budget to be voted on before the conclusion of sittings this week so that the initiatives outlined in the budget and proper planning for the appropriations can be completed and implemented. Therefore, the government believes it is now time to declare this bill urgent.

MR STEFANIAK (Ginninderra—Leader of the Opposition) (10.18): Whilst it would suit my personal circumstances, this is not normal. I state at the outset that I think we could probably do this better. I have already had a chat to the Chief Minister and to some of my people. Given that these debates traditionally range far and wide and take a lot of time, I suggest that in future budgets we could devote the second week of sittings, and if needed the entire week, to budget debate. In future we could even forgo, for example, question time to ensure an adequate debate.

I would like to know just how long the manager of government business is proposing. We do not have all that many items left. This is rather extraordinary. The opposition

will not be supporting this motion. I understand what the attorney is saying but it comes rather late in a debate that has been going on since Tuesday. I do not think we had too much trouble forgoing private members' business yesterday afternoon; I think it was a sensible move.

I would be interested to see whether the attorney is proposing to guillotine the debate. Obviously the government has the numbers to do what it wants. Given that the government is obviously embarking on this course, I suggest that it will get it through. But let us work out a way in which to have a full and frank debate next year. The opposition is willing to be involved in that. I think it would be sensible, rather than coming up with something like this towards the end of a fruitful, if not lengthy, debate.

MR MULCAHY (Molonglo) (10.20): I will be brief because I would really like this time to be focused on the budget debate. I have to say that this is an extraordinary measure. This is the third ACT budget with which I have been involved. In the past it has not been necessary to truncate debate. This is a \$3 billion outlay on behalf of the people of Canberra who rightfully expect it to be properly considered. When I tell people how often this Assembly sits I find it a cause for embarrassment that we sit for fewer than 40 days a year.

I find it unacceptable that I have to say to the people of Canberra, "People wanted to go home so the government had to rush this whole thing through." The government said that this bill has been debated for 2½ days. We have not spent 2½ days debating this bill. Various reports, statements, speeches, the tabling of travel reports and all manner of things have interfered substantially—

Ms MacDonald: How about private members' business for you?

MR MULCAHY: I have the call, Ms MacDonald. All manner of things have interfered substantially with the discussion process. Members on both sides have had abuse thrown at them, and I guess that that has interfered in the sense that it has been necessary for them to respond and to correct the record. I say to the government that it might have the numbers to do what it wants, but this is a very bad day for the democratic system and it is a bad day for the scrutiny of the financial affairs of the territory.

It is remarkable how rarely the Chief Minister has been here throughout the budget debate. He is the Treasurer. When Mr Quinlan was in the job we had nothing like this. At least he took his job seriously enough to be here. Instead, we have a part-time, detached approach. Even Mr Corbell spoke in the chamber on behalf of the Chief Minister. This is a very disappointing day. I will certainly be voting against this proposal to truncate debate.

We have done everything in our power to try to contain speaking times in this debate. I talked to the Chief Minister yesterday when there was an outburst in the chamber and I spoke to Mr Hargreaves and indicated that we were trying to limit debate. But we simply cannot entertain the idea that people let everything go through in this territory without scrutiny. This is an example of majority government at its very worst. I will certainly be voting against this proposal.

DR FOSKEY (Molonglo) (10.23): I find outrageous this government's attempt to truncate this debate. I am quite prepared to stay here as long as it takes to conclude this debate, as most of us have already organised this into our schedules. Apart from anything else, it does not look very good for this government, especially the minister who is responsible for the next output, to be suggesting that we cease before we have dealt with it.

I realise that a majority government can do that sort of thing, but it is something that this government should be ashamed of. I oppose this motion. I was disappointed about the fact that people could hardly contain their boredom. Debates such as this are not easy, they are not interesting and no-one likes being criticised, but that is our job and that is our role. Let us be big about this and let us hear the debate.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services) (10.24): Let me just put a few things to rest. We have been debating this budget now for over 15 hours. In the face of that number, any suggestion by those opposite that there has been insufficient scrutiny of this bill is absurd. We have been debating this budget for over 15 hours, on top of the weeks of examination in estimates, and on top of the other examinations that have occurred.

Mrs Burke: You are a disgrace!

MR SPEAKER: Order, Mrs Burke!

MR CORBELL: Do not give me this "no scrutiny" rubbish.

MR SPEAKER: Order! Mr Corbell, direct your comments through the chair.

MR CORBELL: So far we have had 15 hours of debate on the bill, at least the equivalent number of hours in estimates committee hearings, plus examination of the budget in question time. You cannot in any way suggest that there has not been adequate scrutiny to date in this place.

Mrs Burke: You'll go down in history, won't you?

Mr Smyth: If you don't want to do your job, resign.

MR SPEAKER: Order, Mr Smyth! I warn you, Mrs Burke.

MR CORBELL: It is really quite absurd if those opposite and those on the crossbench believe that they are adding any significant value by sitting here until 4.00 am just so that they can repeat criticisms that have already been made in the estimates committee debate and in the in-principle debate on this bill.

Mr Smyth: You don't like criticism.

MR SPEAKER: Order! I warn you, Mr Smyth.

MR CORBELL: We have already had 15 hours of debate on this bill, which I think, in anyone's language, is sufficient scrutiny of this bill. It is now time to declare this

bill urgent. It is now time for the Assembly to impose some discipline upon itself and to set some time frames so that the passage of this budget is completed.

Question put:

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

The Assembly voted—

Ayes 7		Noes 6	
Mr Barr	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Berry	Ms MacDonald	Mrs Dunne	Mr Smyth
Mr Corbell	Mr Stanhope	Dr Foskey	
Mr Gentleman		Mr Mulcahy	

Question so resolved in the affirmative.

Allotment of time

Motion (by **Mr Corbell**) put:

That time for consideration of the remainder of the bill be 90 minutes.

The Assembly voted—

Ayes 7		Noes 6	
Mr Barr	Mr Hargreaves	Mrs Burke	Mr Pratt
Mr Berry	Ms MacDonald	Mrs Dunne	Mr Smyth
Mr Corbell	Mr Stanhope	Dr Foskey	
Mr Gentleman		Mr Mulcahy	

Question so resolved in the affirmative.

Proposed expenditure—Part 1.15—Department of Justice and Community Safety, \$163,266,000 (net cost of outputs), \$117,308,000 (capital injection) and \$120,700,000 (payments on behalf of the territory), totalling \$401,274,000.

MR MULCAHY (Molonglo) (10.32): I will speak briefly on this matter and, in particular, on JACS and ICRC. We have had some discussion on the Woden bus interchange, and it is worth repeating here that in the estimates committee hearings on 19 June the Attorney-General conceded that the level of security surveillance in place at that interchange is not optimal. But despite that concession he explained that this area had been excluded from those areas of immediate priority that are currently having security cameras installed.

This continues to be a troubling area within the city of Canberra and it is an area about which great concern has been expressed by members of the community, parents and young people alike. Indeed, in the last three months 35 incidents of crime were reported at Woden bus interchange, the most of any bus interchange in the ACT. It

defies understanding why the ACT government has such a contemptuous and cavalier attitude to the people of Woden and the children that use that facility that it has not sorted out this mess long before it has reached this level of concern.

I also want to make brief mention of the ACT Human Rights Commission and the political activism that is very much a feature of that commission. Some serious issues have been raised about the ACT Human Rights Commission, which has been among a number of the government's projects in recent years. Of course, we can now see why. It is clear that the purpose of the commission to some extent seems to be to function as a political body to provide ammunition to the Chief Minister and to further his agenda.

It was amazing recently when the Chief Minister requested the commission to advise him on the Australian government's emergency measures in Northern Territory indigenous communities. The commission responded to this request with a letter—you can read this on the website—that sets out its objections to these measures. The letter purports to assess the rational connection of the emergency measures with the problems in Aboriginal communities, and in the eyes of the commission it is found wanting.

There are blatant policy considerations in this assessment, as the commission apparently sees itself as the arbiter of policy considerations throughout Australia. The commission ultimately advises that its view is that the measures may not comply with ACT legislation. Does the Northern Territory not have its own legislation? The response was the basis for a diatribe by the Chief Minister against the Australian government.

The ACT Human Rights Commission has been vocal in its criticism of the Australian government's actions to stem problems in Aboriginal communities in the Northern Territory. It has been critical of the fact some of these actions will apply only for these communities and will be "racially discriminatory". Aside from the fact that these actions are completely outside the jurisdiction of an ACT commission, this is a ridiculously selective objection.

Indeed, this is not the only instance where the ACT Human Rights Commission has sought media coverage on issues occurring outside the ACT. The commission has appeared in the *Canberra Times* on issues such as refugee policy and the incarceration of the admitted terrorist sympathiser, David Hicks. I mention this because it is vital for public service entities that are touted as apolitical bodies to avoid attempts to score political points.

Too often we get people in this part of the world sitting here and pontificating on the problems of people in areas such as the Northern Territory. I am not one of those people who have just a Canberra view of the world. I have been to the Northern Territory and I have been to Arnhem Land. I have sat on the alcohol advisory committee. When those who were looking for fashionable angles could not declare any interest in the needs of the Aboriginal community I went there myself to talk to their leaders. But instead this group has come out with its own long-distance assessment and it has started dictating to the commonwealth government in those areas where it thinks it is not acting appropriately. There are other issues relating to

the handling of complaints and the level of satisfaction, but in the constrained time that we have I will not get into those areas.

I would also like to make some mention of the ICRC. Compared to previous years when I had always been impressed by its performance, I was pretty bewildered by its incapacity to answer a number of questions that were asked by the committee, in particular in areas such as the impact of the utilities tax on utility providers. According to the Attorney-General, the ICRC played no role in analysing the impact of this tax, but then I saw a decision where it was authorised as a pass-through by ActewAGL. I find that intriguing, especially when we see in a question on notice to the Treasurer on 31 May 2006 that the average 18-month impact of the utilities tax is estimated to be \$131 per household in the form of higher prices for water, sewerage, gas, electricity and telecommunications—courtesy of the Stanhope government.

Talking about the ICRC, the government's policy on water pricing continues to leave a lot to be desired. The government commissioned a report into pricing elasticity which was undertaken in 2005 by Graham Barnett of the University of Canberra. This report drew attention to the economic efficiency of the law of one price, and stated that a single volumetric price would result in the most economically efficient outcome. It went on to state that stepped pricing was instead used to achieve the government's target of water reductions, with minimal impact on government revenue.

The report in fact recommended a two-step pricing system to discourage discretionary water use. The report determines this pricing system on the basis of average consumption per household, and the ICRC adopts a similar pricing system, although it has three steps instead of two. The stepped pricing system operates on a household basis. However, in response to a question on notice, the Attorney-General stated that studies have shown that 57 kilolitres per year per person is an average efficient level of internal household usage and that the ICRC considers 300 kilolitres to be the usage level at which the price should begin to rise steeply.

This means, of course, that a household with more than five members will face high marginal price levels even when they are using an average efficient level of water. Conversely, a small household of two members could use almost three times the average efficient level before facing the same high marginal prices. A household with a single member could use more than five times the average efficient level before facing the same high marginal prices. The Chief Minister continues to talk away and to ignore all this, but water bills are an important factor in many households.

Mr Stanhope: This is repeating the third speech that you gave on Tuesday night.

MR MULCAHY: Water bills are an important factor in the cost of living for Canberra families. I know that they do not matter to the Chief Minister but they are worth putting on the record because this is an issue of considerable concern. Clearly, the impact of doing things on a household basis rather than an individual basis is that it provides virtually no incentive for water conservation for small households.

Mr Stanhope: Poppycock!

MR MULCAHY: By dismissing that sort of comment I think the Chief Minister is clearly showing that he does not understand pricing elasticity.

Debate interrupted.

Standing order 76—suspension

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

That standing order 76 be suspended for the remainder of this sitting.

Administration and Procedure—Standing Committee Membership

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

That Ms MacDonald be discharged from the Standing Committee on Administration and Procedure for the period 20 September to 2 October 2007 and that Ms Porter be appointed in her place for that period.

Appropriation Bill 2007-2008

[Cognate paper:

Estimates 2007-2008—Select Committee report—government response]

Detail stage

Schedule 1—Appropriations.

Proposed expenditure—Part 1.15—Department of Justice and Community Safety—\$163,266,000 (net cost of outputs), \$117,308,000 (capital injection), and \$120,700,000 (payments on behalf of the territory), totalling \$401,274,000.

Debate resumed.

MR PRATT (Brindabella) (10.41): The points I want to concentrate on are a number of functional capability areas. In relation to the emergency services circumstances, I will cover these. I will background this against the January 2003 bushfire disaster and the McLeod inquiry and its conclusions and recommendations. While this budget has attempted to address a number of funding shortfalls of previous budgets of emergency services, the Stanhope government has yet again failed to resolve major problems that see the emergency services in such a state of dysfunction that morale of the volunteer brigades is now almost non-existent.

A number of factors have led us to this point. First is the restructure. Contrary to the minister's recent outpouring of spin, emergency services in the territory have gone backwards as a result of last year's retrograde restructure. The minister is now five steps removed from overseeing the performance of our emergency services. By mid-2006 emergency services had developed to an independent authority able to respond to emergencies quickly. Thanks to the government's changes in last year's

budget the ESA has been returned to the bureaucratic swamp developed by the Department of Justice and Community Service—the same incompetent arrangement that failed the old Emergency Services Bureau in the 2003 fire disaster. I repeat, a very similar arrangement to that which failed the ESB in 2001 and the 2003 fires. Let us be clear on one thing. It has been the government's failure to set down good governance models—this government's failure to scrutinise and the successive ministers' failures to question and be proactive when seeking advice from senior officials—that have seen the damaging financial mismanagement we have seen in recent times.

Going on from there, in relation to the restructure, I maintain that emergency services remain in some considerable difficulty because the government is still refusing to bend to the most fundamental concerns raised by senior volunteer and permanent officers. In April the ACT government met with volunteers, permanent officers and the ACT Bushfire Council in what it claims were attempts to break the impasse around the rebellion of the emergency services over the government's restructured emergency services. I recall that over the Easter break it had become apparent the government had no intention of budging on its ill-advised, incompetent and divisive plans to restructure emergency services. Further, it became apparent to the volunteers that private and permanent officers in other services were still seething with anger. Now they will be becoming somewhat depressed over what clearly had become a throwback from the disastrous days of pre-2003. That was the view a couple of months ago and there is no reason to see why that would have changed now, despite the claims by the minister in these budget scrutinising processes.

We now turn to FireLink. This minister is a revisionist. He rewrites history and he is rewriting history to suit himself and to cover the backsides of his predecessors and the government as a whole. This government's failure to scrutinise this process—the FireLink process—has lasted 3½ years and cost the taxpayers \$5 million. The ATI product FireLink is not problematic. It is technically a well-received capability. The question here is how well was the project managed here to adapt FireLink—the product—to the ESA's needs? We maintain that this government had no ministerial oversight of how that project was progressing. It could well be that FireLink, with the difficulties it was having, could have been re-engineered or better supported to take it to another level.

Volunteers and permanent officers were advising from late 2004 that FireLink was problematic. I know that because from early 2005 we were asking questions on their behalf—the volunteers and permanent officers behalf—and you, Chief Minister, and your government, ignored those questions and blindly accepted ESA's advice that all was hunky-dory. I remind members of a couple of things. The Auditor-General's report that we have seen tabled in the Assembly in the past 24 hours into the cancelled FireLink project blows the government's argument right out of the water that the Emergency Services Authority and its officials are entirely to blame for the debacle.

The report finds that the crucial decisions about the need for a mobile data system were made by cabinet with inadequate documentary support in May 2003—14 months before the creation of the independent Emergency Services Authority in July 2004. Cabinet decisions were made six months before Peter Dunn commenced his contract as a mere project officer. Yes, perhaps he was the commissioner elect, but at that

point he had no power, he had no authority and all of these decisions were put in place. Peter Dunn would have been given his marching orders in late 2006 to take some of those \$23 million and to develop a mobile data system. The cabinet decisions were made. In one of the key findings the Auditor-General states:

There was no documentary evidence that a detailed business case supporting this funding decision—

That is referring to the \$26 million—

was prepared and considered by cabinet.

How was the ESA eventually going to maintain a stable project, manage its project properly, if cabinet had not already laid down the pathway of accountability through a competent business case? We now know that the Auditor-General, despite also being quite critical of the ESA and its management of FireLink, was very critical of this government for not supporting or for not sorting out its business case and its preparations before the project was commenced. So what we are left with now is nowhere near what was outlined by the McLeod report. In fact, the community is left with nothing that will come close to delivering the suitable mobile data and automatic vehicle location system. The Stanhope government now needs to earnestly investigate some sort of mobile data system. The challenge is for the minister to take us beyond the whiteboard and markers and to see whether something can be salvaged out of this debacle.

I now turn to equipment, vehicles and the heavy tanker program. In this year's budget the government has announced a \$6.5 million program over four years as the ESA fire vehicle replacement program. Where is the supertanker that was promised two budgets ago? The supertanker project is a very important project. Get it wrong and we have years of damage to be repaired. According to the budget, \$2.5 million is to be spent in the next 12 months to accelerate that program. We will be interested to see how this procurement process evolves, given the great need for front-line vehicle capability and the correct vehicles. The government will surely not repeat the mistakes of the past and rush into a purchase without proper consultation with the volunteers, who will ultimately be responsible for the use of these vehicles. We do not wish to see the fire tanker program become FireLink on wheels.

I remind the government of its monumental failure with front-line RFS vehicle serviceability and then its failure at the beginning of this last bushfire season—25 per cent of front-line vehicles down three days into the 2006 bushfire season. The reason—because it failed to keep the funding and the maintenance standards up. As soon as the balloon went up the vehicles were found wanting. Minister Corbell has crowed about the initiatives in this year's budget directed at volunteer training. According to Mr Corbell's release:

The measures in this Budget further recognise the vital role our volunteers play in emergency management in the ACT.

Yet in 2006 southern brigade could only get one of 24 volunteers trained up in an entire 12-month period. I welcome the new funding. The opposition is quite pleased to see that additional funding, but like so much of this year's budget, with this welcome

funding the government is playing catch-up for the decisions it has taken in the past two years.

I want to talk now quickly about the disgusting treatment of the volunteer brigades. The Stanhope government has today denied the ACT Volunteer Brigades Association a fair go and has again misled the ACT community about deep concerns held by the brigades over the ongoing dysfunction of the emergency services. I am commenting on events today in the ACT because we saw the VBA denied a decent hearing—

MR SPEAKER: Order! Desist from reflecting on a vote in the Assembly.

MR PRATT: (*Second speaking period taken.*) Coming out of the exercise, the VBA continues to be concerned about events around the restructure of the ESA and the failure to consult properly. It will be very interesting. It is a very large challenge now for this minister and a relatively new commissioner to bring those volunteers back into the fray. I do not know what the feeling is going to be after what has happened in this place today, but there is a lot of morale building to be undertaken three months out from the next bushfire season.

I go on to talk about volunteer bank accounts. That is yet to be resolved, and until they are resolved the morale problems will certainly go nowhere. I welcome the funding that we have seen, the \$226,000 to be spent on the roll out of 10 new CFUs at least in the next year to enhance bushfire protection measures around the suburban edge, but this still leaves us short about 15 to 18 CFUs. I do not know where the funding will be coming in the future or how long it will take to complete the need. In this place we have talked often about the strategic bushfire management plan. I have not seen much progress towards having in place a confident array of bushfire operational plans to make sure that the preventative planning is undertaken in advance of the next bushfire season.

I want to now talk briefly about the overall capability, the loss of corporate knowledge. We have lost five or six senior officers from the emergency services since about October last year. Apparently there have been about 45 resignations from middle management and above across emergency services in the past nine months. There must be a terrible loss of corporate knowledge. There must be a terrible loss of experience even at the basic training level. This does not auger well for the emergency service, coupled with the morale issues coming out of the 15 March industrial action, the resignation of the captains and vice-captains, and the need for things to be re-built.

I now want to talk about the Fairbairn relocation. There are no grand announcements in the budget. In fact, the minister was tight-lipped in estimates when asked what the status of the move was. Last year's grandstanding budget press release culminated in the statement: "The full move is expected to be completed mid-2007". Apparently that was the objective stated last year, that the entire array at Curtin would be relocated to Fairbairn by mid-2007. In estimates the minister was very tight-lipped. It was like pulling teeth but he had to admit that only a small proportion of the headquarters arrays had moved and he was pretty coy about how long it would take to relocate the rest of the headquarters and the training units that had to be co-located with them.

It has been at least two years since announcements were made that this government, rather than re-building Curtin, would redeploy the entire array to Fairbairn. To this point we have seen about 20 per cent to 25 per cent of the organisation move. The minister is going to have to answer questions in the not too distant future, I fear, about the state of the buildings at Fairbairn, the progress of the relocation and what is holding it up. He will also have to answer questions about the rents being paid for buildings at Fairbairn and how much of those rents now amounts to dead money.

I now go on to talk about the ambulance service. The ACT Ambulance Service is set to receive funding of \$4.9 million over four years for staffing and vehicles in this year's budget, including funding for 16 additional staffing positions and four new ambulances. They are specialist ambulances. They are not general front-line vehicles. Again this is playing catch-up.

Mr Barr: Two of them are, Mr Pratt.

MR PRATT: Two of them are, okay. You raise me two and I will raise you two. Previously we have seen an ambulance service that is overstretched. While the budget funding goes some way to address the problem of insufficient teams to meet the seven teams per shift requirement, it is clear that the shifts remain under strength. The minister must ensure that training and appropriate classifications are upgraded so that ambulance teams have sufficient depth to adequately serve the ACT community and ensure that appropriate recognition and conditions are attributed to these valuable professionals.

On the question of ambulances, we are reminded of the situation last year where it became quite clear that front-line ambulances have been overstretched. I understand that with the restructure of hours and shifts and additional training, the situation has improved but we remain wary of whether the seven shifts, 24 hours, seven days, are going to become a reality. There is still also the question of the technical officers and the reclassification of ambulance officers to see whether that provides the additional front-line capacity that apparently has been lacking.

I will finish by saying this: the problems clearly revolve around a lot of confidence lost by the volunteers and many permanent officers over the ESA restructure. Mr Corbell and I have argued about a thousand times about the wisdom or otherwise of removing the ESA from an independent authority to an agency under the umbrella of JACS, and I am sure that we will continue to do that. He says that it was very important and necessary. I understand his logic, but I disagree with it, that that move allowed him to get close ministerial oversight or departmental oversight, but that was not necessary.

Governments all over this world have independent authorities operating in particular strategically important areas, and they still maintain ministerial oversight of their administration and their financial management. The opposition maintains that those arrangements can be put back in place so government can maintain oversight, so FireLinks are not repeated and so emergency service remains an operationally responsive entity that can react to protect our community without being encumbered by bureaucracy. But the Labor Party loves bureaucracy because its members are control freaks, and it is a lot easier to keep things that much under control.

I hope the minister is able to answer many of the questions which have been raised. It will be interesting to see whether he does, but I doubt that he will. The emergency services are of vital importance to the ACT community and we hope that they will get into better hands than we have seen in the past.

DR FOSKEY (Molonglo) (10.59): I have truncated my speech in the hope that we can get through the rest of the outputs. On the whole we are well-served by this Attorney-General. He has driven the new prison project through the slings and arrows of misguided criticism. He has championed the Civil Partnerships Bill the second time around, and he appears to have been effective in exercising the very limited control that the ACT can exercise over its police force.

Last year I outlined a scheme to enable the courts to be able to convert a fine to community service hours. This would benefit the defaulter, the community and the government. While the Attorney-General agreed with the principle behind my amendments to the sentencing legislation amendment bill 2006, he did not think present legislative arrangements could facilitate this happening. So, many people continue to be imprisoned because they cannot or will not pay their fines. They spend many grey, wasted hours in Belconnen Remand Centre and the exact quality of those wasted hours has been highlighted by the Human Rights Commissioner's report released last week. While the problem is complex, I hope that the government will pursue this issue to enable people who generally cannot afford to pay their fines to work off those fines by performing community service.

I have concerns about the cost-cutting measures for the prison revealed in this year's budget. I am concerned about where those cuts will fall. This issue takes on an added importance as it seems that the non-health components of the government are too scared of community backlash to implement something that has been recommended by the Human Rights Commissioner and by the indigenous health report—a needle exchange program for prisoners. I think it is very likely that there are quite a few people within the government who think that would be a good idea. This means that it is almost inevitable that transmission of HIV, Hepatitis C and other blood-borne diseases will continue at their current high levels. The sentence of two day's jail for failing to pay a parking fine could hold the possibility of being upgraded to a death sentence. If a drugs-free prison environment was achieved it would be the first in the world, although, of course, it is a laudable aim. However, I think we need to be realistic especially when we are talking about a human rights compliant prison. By elevating political considerations above the health and wellbeing of detainees, I fear the government will thwart the genuine efforts of their correctional health experts to establish this truly human rights compliant and rehabilitative prison environment, which was negotiated through very complex and extensive discussions with community sector who did have concern that we would end up with just a prison. I fear that every time we strip a little bit of money from it, it is more likely that that will happen.

Obviously, the Greens support the push to a more rehabilitative prison. But justice policy has one of the strongest claims to the whole-of-government approach and we maintain that crime prevention is best achieved by reducing poverty, overcoming disadvantage, addressing the causes of violence and abuse, and reducing drug-related

crime and custodial responses to drug-related, medical and social problems. A number of the government's crime prevention strategies and diversionary programs are paying dividends in reducing recidivism rates amongst their target demographics. We welcome the move to make circle sentencing and other diversionary programs available for a broader range of potential subjects. These programs require a large commitment of up-front resources but I hear almost uniformly positive feedback about them. I urge the government to invest more resources into them and to extend their range, because they have been proven to pay dividends over the long term.

Another area which receives pitiful little attention and funding is support for detainees once they have been released from jail. This is when they are at their most vulnerable and when many people struggle to avoid falling back into old crowds and old habits. There is no point in having a state-of-the-art prison if we are sending someone onto the streets stigmatised, homeless and broke. That is a very good way of keeping recidivism rates high. Education, accommodation and employment schemes for released prisoners should be a high priority for the government and would surely result in lower long-term costs to society in the future.

This budget does not adequately address that need for the greater resources that would be required to various community organisations to plan for and meet the expected increase in demand for their services generated by their involvement in the Alexander McConochie project. Of course, I welcome the extra funding for additional police officers in this year's budget. ACT Policing has been inadequately staffed for some time and that has diminished their ability to respond to less urgent matters. I generally welcome the minister's directions to the AFP to increase visibility in community policing though I am concerned that the minister rejected the Cameron report's recommendation about police car chases. I also welcome the minister's announcement of legislative changes to the sexual assault laws to ease the burden on victims being subjected to excessive cross-examination. The conviction rate for sexual assaults is far too low. I recognise that it is uniformly low across jurisdictions but this should not be the benchmark that we aim to reach.

Last year's ACT policing annual report again featured far too high a level of political and media spin and did not sufficiently account for either internal or public complaints against the police. The minister said he would look at reformatting the annual reporting of complaints against police to make it more transparent. I welcome his commitment. I note that at the time the legal affairs committee produced its report into police methods of crowd control, the capsicum spray incident which caused us to call for that inquiry still had not been resolved. That was coming up to four years later.

There is more funding for volunteer fire fighters' equipment in this budget. I am gladdened by the positive reception that the budget received from our underappreciated volunteer force. Of course there is always a lot of rhetorical support for the rural fire service and many members of this place like to assert that they are the RFS's real best friends. Of course, some are volunteers. But the recent dramatic demonstration outside the Assembly, the high level of disquiet with the administrative structure and the behaviour of the new commissioner are evidence that people on the ground do have their views on these matters, and these views differ from the government's. Yet again—this time from the volunteer firies—we heard the now familiar refrain which could become the epitaph of this government: we weren't

consulted! Government had already made up its mind when it got around to talking to them.

The expansion of the community fire units networks was something that I have always been vocal in supporting, and the Greens are glad to see the increased commitment of resources to this initiative. The Auditor-General's report on FireLink seems to vindicate the minister, although there is some, and I am not sure how much, substance to the Opposition's criticism of the minister as he dutifully defended the indefensible before the system was pulled. More money is allocated to services for victims of crime over the next few years. This is welcomed, but I am concerned about a lack of clarity in this policy. A large part of this funding is going to the victims of crime coordinator. I think it would be better to provide more long-term support services to victims of crime, particularly victims of violent crimes and sexual abuse.

The human rights commissioner's office received some of the overall funding that was taken away when the various commissioners' offices were amalgamated. I think the human rights office has proved its worth with its human rights audits of Quamby and Belconnen Remand Centre. I welcome the commitment of proactive intervention by the Human Rights Commissioner—unlike Mr Mulchay, obviously—but I am still disappointed by the lack of support for better compliance certificate processes. *(Second speaking period taken.)* It would be far more effective in entrenching Liberal-proofing respect for human rights in the ACT if the commissioner were directed to include even just an outline of the reasoning that has been applied, together with the compliance certificates. That has been asked for both by me and by the scrutiny of bills committee, our legal affairs committee. The certificates could play an educational role in themselves.

Just to touch on a couple of other things, the Office of Fair Trading has an extremely important role to play in a system which is driven by consumer complaints and that is the only time that the system kicks in on the whole. If we are going to have empowered consumers, we need an empowered and well-resourced Office of Fair Trading. I do not believe it is adequately resourced to do that job and consequently that it can perform its role with the application and rigor that is required. There are serious issues with high-risk credit products—that we have just been talking about in this place—product labelling and truth in advertising that are not being addressed. The recent scandal with Woolworths making misleading environmental claims for safer products is indicative of the extent of this problem.

MR STEFANIAK (Ginninderra - Leader of the Opposition) (11.10): Mr Deputy Speaker, I have a truncated version of my speech. Let me come to corrective services first. Corrective services is fast becoming an issue that divides the community. Government spending on corrective services has the potential to spin out of control. In order to contain the costs of the prison, the government has wound back by reducing the number of beds to 300 from 374—we had a lot of discussion on this in estimates—not providing a facility for an on-site dog squad, not building a gymnasium until the prisoners themselves build it—and there was an interesting debate in the media recently on that—and not providing a quiet area. It is clear that the government has not been able to deliver this project on time or on budget, and the minister's mantra of “staying inside the budget envelope” brings new meaning to the term “staying on message”.

The government claims that the prison will be run for not a dollar more than we currently spend in the New South Wales system. But this year's budget details that the government will spend, on average, \$490 per day on prisoners in remand. The government will spend \$223 per day on prisoners in the New South Wales system. The average number of detainees in the ACT in 2006 was 172. At the current rate of expenditure these 172 detainees would cost the taxpayer nearly \$31 million per year. This means that the much heralded economies of scale must equate to approximately an expenditure reduction of over \$30,000 per day to be equivalent to the New South Wales system. The prison, in the context of the budget, still does not have an operating budget, and of course the prison was based on a false premise, with the government's own numbers not reflecting the true position of the prisoner population.

It seems that the numbers have never added up. The population has never reached what the government studies showed it would. The prison has great potential to be a financial noose around the neck of the Canberra community for the next 25 years at least. And we have this government, particularly the Chief Minister and Mr Corbell, to thank for it.

It should also be noted, in the context of the budget and corrective services, that the ACT Human Rights and Discrimination Commissioner just discovered systemic problems in our correction facilities. And though Mr Corbell is eager to hang all of these issues on a new facility, perhaps the most important line for the government to respond to is this one: some issues are not dependent on new facilities.

I will touch on the issue of needles, which Dr Foskey has mentioned. If we are to have a prison that is going to work, the last thing you want to have is needles; they are a real danger to custodial officers. The whole idea is to get prisoners off drugs rather than maintain their habit. Prisoners affected by drugs have a real opportunity to get off drugs. At the very least there should be rehabilitation programs there to get them off drugs. One thing that gives me a little bit of hope on that score is that I have not heard of too many instances of people getting drugs in the remand centre. That area is kept fairly tight. The centre might have its problems, but I have not heard of drugs getting into the remand centre. If the prison is run properly, you might be able to stop that.

It would be good to have a secure mental health facility there; something that we were planning when we were in government if the prison went ahead. Clearly, a lot of prisoners had problems with drugs and suffered from mental health problems—and that needs to be treated on site. I think it would be utterly pointless having an argument that drugs should be supplied in the prison through a needle exchange system. That just perpetuates the problem; it does nothing to get rid of it. I certainly wholeheartedly object to that occurring. I am pleased to see that the government realise it. I think that is the right decision.

The upgrades to court security are welcome. The improvement to the DPP case management system is also welcome. Hopefully it will be able to provide more information on how the justice system performs. It is still a worry that we do not know how many breaches of bail conditions there are in a year or how many people have had bail refused in the Magistrates Court and then had it granted in the Supreme Court. I was trying to find out how many times that occurred in a year but I

have no information yet. The department still cannot break down certain pieces of information which I would have thought were basic. We have been assured again that that is at least now on track to occur. It is about time. I can recall the Chief Minister asking questions of me as attorney when he was shadow attorney. I asked questions of him which still have not been resolved.

The increase in funding for victims is welcome. However, it should be noted that it is funded by another tax: this time a levy on traffic infringement notices and court fines. That is probably a preferable tax than slugging the poor old innocent Canberra ratepayer who does not commit any offences, but it is still a tax. I think it would be a good thing if some of the funding went to VOCAL, an organisation that has continually provided invaluable support to victims. I commend that to the government.

The ACT Human Rights Commission is a combination of agencies that separately performed some valuable work but the jury is still out on whether combining them has been a good move. Unlike Dr Foskey, I cannot think of too much that the Human Rights Act has done which would advance the cause of ordinary Canberrans. At times it has been used to grant criminals bail in the Supreme Court on bail applications—often appealing against Magistrates Court decisions. It has certainly been used where there has been a bit of a glitch in the law: it seems that juvenile repeat offenders are treated completely differently and contrary to section 9B of the Bail Act than adult offenders. That is a worry because one of the recurring themes in terms of problems with the Human Rights Act in a civilised society like ours is that it has a disproportionate emphasis on the rights of the criminal over the rights of innocent law-abiding citizens.

The Human Rights Commission is a very convenient focus for the Chief Minister to go off sticking his bib into other people's issues. He sought the commissioner's views, for example, on the commonwealth's indigenous package in the Northern Territory. I disagree with the views she expressed; I thought some were overtly political. In 2001 the Chief Minister, in "A code of good government", said:

While Labor believes the ACT public service should provide leadership, it also strongly believes the ACT public service should concentrate its efforts on meeting the legitimate needs of government and the community in an efficient and accountable manner.

There is work to be done at home: there is no need to strut the national stage spruiking the need for reform and constant change.

They are his own words and he should live by them. How times have changed. Mr Deputy Speaker, you have already spoken on the emergency services portfolio, so I will make absolutely no mention of that.

I now turn to the coroner's report. There is an interesting recommendation by Coroner Doogan recommending that the Attorney-General and the government, in consultation with the Chief Justice and the Chief Magistrate, take legislative action, which would have the effect of funds being directly appropriated annually to the courts, preferably along the lines of the commonwealth model as it applies to the High Court, the Federal Court, the Family Court and the Federal Magistrates Court. Alternatively, the funds could be appropriated in accordance with the South

Australian model, which has a separate Courts Administration Authority. This follows the unsuccessful effort by the ACT government and some of its employees to try to prevent Coroner Doogan from completing her inquiry, which posed a threat to the independence of the judiciary. It raised serious concerns about the government's respect for an independent judiciary. I think the coroner's idea is worth pursuing.

The jury is still out on the Office of Regulatory Services. The estimates committee recommended that accountability indicators for that office be reviewed with a view to ensuring that they are more comprehensive. In particular, they should include complaints about mortgage services and the level of compliance with workers compensation regulatory schemes. I think the government needs to show that this change has delivered better services to the office's clients than under the former arrangements.

The review of security cameras is welcome but there has been no money in the outyears for them. It is normal in most budgets, I would think, if you are going to do something to appropriate some money in your forward estimates down the track. It is certainly concerning that the government is not putting security cameras into bus interchanges. In the 2001 election, in its so-called plan for transport, the government promised to install security cameras at ACTION interchanges. That has not been properly done.

It is crucially important that security cameras be upgraded not only around bus interchanges but also in other trouble spots in Canberra as they are a real deterrent. They are a crucial tool when crimes are committed and have been invaluable in fingering people who have committed offences—not only here in Canberra but interstate as well. They have been particularly useful in London in recent times; cameras are everywhere because of anti-terrorist concerns. They have certainly been used to pick up a lot of crime and have led to a lot of criminals being detected.

The opposition welcomes the extra police officers, some 43, who will join the force this year. I again commend the late Audrey Fagan for getting more police out on the beat and getting them visible in the community. Andy Hughes followed it up, and Shane Connolly, of course, is keen to do so. There has been a marked improvement in the last 12 months. But police cannot be everywhere. The AFPA have indicated that we are still 120 police short of the national average. There are still shortages. There are still a lot of cars to go around. The security of citizens is the most important role of any government, and the government does need to do more there. In our dissenting report, Mrs Burke and I have recommended that the ACT government outline a plan to increase the strength of the AFP in the ACT so that it is equivalent to the national average. *(Second speaking period taken.)*

I am pleased to see some money set aside for a new Belconnen police station. The current station has certainly seen better days, although I do note the great camaraderie there and I commend the people involved in the station.

Mr Stanhope interjecting—

Mr Barr interjecting—

MR STEFANIAK: Will you shut them up?

MR DEPUTY SPEAKER: Order, Mr Barr and Mr Stanhope!

MR STEFANIAK: Thank you, Mr Deputy Speaker. Again, it is disappointing that the government did not commit funding to build a new police station and give certainty to the people of Belconnen that a station will be built in the next few years. Again, there is no forward funding there. I am pleased to see that there is to be a review of police ranks. The review will be tabled in the Assembly.

The government also needs to take action to address the very serious problems with its administration of justice and community safety, particularly with the administration of emergency services, which you have so capably dealt with, Mr Deputy Speaker, and with corrective services, which is becoming a real problem and will become an even bigger problem as the prison nears completion and then starts operation. I commend those truncated comments to the Assembly.

I now table, with consent of the attorney, my speech on the legal aid commission and the public trustee and ask that they be incorporated in *Hansard*.

Leave granted.

The incorporated documents appear at attachment 1 on page 2560.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services) (11.22): Mr Speaker, I thank members for their contribution on this item, the Department of Justice and Community Safety. I wish to respond to only a few items and to reassert the government's position. In relation to FireLink, we have had that debate a number of times this week already. All I would say on that is that the government rejects the assertions of the opposition. Our position is quite clear and we believe it is reaffirmed by the Auditor-General's comments and her recommendations.

This is a good budget for emergency services and a good budget for the justice portfolio overall. When it comes to emergency services, it is fair to say that volunteers are the big winners. They are big winners because we see \$6.5 million for a firefighting vehicle replacement program, a quarter of a million dollars for driver training for ACT RFS volunteers—

MR DEPUTY SPEAKER: Chief Minister and Mr Barr, I have asked you three or four times to keep the chatter down. Next time it will be a warning.

MR CORBELL: There is also upgrading to ACT SES and ACT RFS unit and brigade sheds as part of a \$1.6 million upgrade program, \$394,000 for remote area firefighters, and a quarter of a million dollars for incident control system training—a very significant increase in funding. The government's funding for vehicle replacement alone is very significant. We are looking at 32 new firefighting vehicles as part of this program. It includes 19 light units, nine bushfire heavy tankers, one large bushfire water tanker, as well as an additional heavy pumper for the urban fire brigade, a command vehicle and a recovery tilt tray. That is a very significant increase

and the most significant investment in the fire fleet in the ACT for over a decade. Mr Deputy Speaker, on top of that, of course, as you acknowledged in your comments, there are 10 additional community fire units, a very important additional investment in protecting the urban interface in those high-risk suburbs around Canberra.

We are also continuing to focus on the response and capability of the ACT Ambulance Service. Our ambulance service has the best response times in the country and we want to keep it that way. We have funded \$4.9 million over four years for staffing and vehicles. This includes two new intensive care ambulances, front-line response ambulances, and their staff. In addition, there are two very important non-urgent patient transport vehicles, so that we can get people out of hospital when they are ready to leave and facilitate their discharge. That helps with accessibility to beds in the hospital. There is also a specially designed bariatric ambulance for people who are morbidly obese. These are just some of the initiatives in the ESA area.

I turn to the comments by other members on other parts of the justice portfolio, in particular the prison and the remand centre. Again, the government is very pleased that the prison is coming in on budget and on time. We are delivering a state of the art correctional facility for the ACT, one that is absolutely and urgently needed, as the human rights commissioner rightly identified.

I encourage any member who has not visited the Belconnen Remand Centre to do so. I am happy to facilitate a visit for you just so that you can understand the circumstances of the people and the staff who have to operate and be housed in that facility. I think it is disappointing that more members in this place do not take that opportunity so that they can properly understand the circumstances and the conditions at that facility. It is only when you visit it that you can fully appreciate the crowded, cramped, inhumane and antiquated condition of that facility and why it desperately needs to be replaced.

In this year's budget the government has also made a significant commitment for victims of crime. Victims of crime are often the unrecognised part of the justice system but they are, of course, the people who are most centrally involved and who often carry the biggest burden in managing crime in our community. The government has provided additional funding—over half a million dollars—for victims of crime every year, to be funded through a levy on court-imposed fines and all traffic fines, but not parking infringements. This will raise that money, which will go towards providing additional support to victims of crime through our Victims of Crime Coordinator and the victims support scheme.

I hope this will be only the first step in the further expansion of our program to support victims of crime. They deserve it, the community needs it and the government is very pleased to be providing it, particularly with a focus on victims of sexual crimes. Physical and sexual violence are some of the most abhorrent crimes in our community and ones that can have the most lasting impact on victims of crime. That is why we are focusing on providing additional levels of support.

I have asked my department to provide further recommendations to me on what options are open to the government to further ease the burden of victims of sexual crimes, particularly in terms of giving evidence in court and in facilitating

mechanisms where they can still have their evidence tested in court, but without some of the very difficult circumstances that they face when they often have to give evidence in front of the person who is alleged to have committed the crime. Facing their alleged attacker in court can be a very difficult and emotive experience and it needs to be managed sensitively and appropriately. These are all reforms the government will continue to progress. In the interests of time, I will conclude my comments on the justice portfolio and simply commend the appropriation to the Assembly.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.16—Department of Education and Training, \$415,668,000 (net cost of outputs), \$98,364,000 (capital injection) and \$174,413,000 (payments on behalf of the territory), totalling \$688,445,000.

MRS DUNNE (Ginninderra) (11.30): This is one of the most important items of appropriation in the budget because it is about the future of our children, about investment in our human capital and about investment in our future. The Chief Minister moans that we have a narrow tax base and all that sort of thing. The other day he was making light of the fact that our diamond mines were not producing and that our only real agricultural export is from the chook farm. Tonight we do not see a commitment to investing in our children's future because this debate is going to be truncated in half an hour.

We see a modest number of initiatives in the budget. In comparison to last year's budget, which was a slash and burn budget, I suppose any injection of capital should be welcomed. There is the election commitment that the Stanhope government made before the last election of providing a million dollars to non-government schools to allow them to make minor adjustments to increase access for students with disabilities. The Stanhope government would not give any more than that because they had already attempted to buy the silence of the non-government school community with this commitment at the last election. But it stands in stark contrast to some of the capital works upgrades in other parts of the school sector.

I draw members' attention to the support of \$1.3 million for the disabled as part of the program to progressively improve access for disabled students, staff and visitors. There is work being undertaken at selected schools. This year the \$1.3 million will be for the replacement of a lift at Lyneham high school and a new lift to be installed at Black Mountain school. It goes to show that the \$1 million set aside for ACT non-government schools is not going to go very far when, for the princely sum of \$1.3 million, we get two lifts. There is going to be very little money when it has been sorted out amongst all the non-government schools. Perhaps we will get a bit of resurfacing on the odd ramp, but there will certainly be no lifts. There might be a few rails, but some of the other facilities that some of the schools are crying out for will not be available through this less than generous contribution.

Although I am pleased to see the extension of the bursary system, I am still concerned that the \$500 per year is fairly modest and has not been increased for a number of years. In the light of the new-found budget revenues, we might see a reconsideration of that amount. I would like to see more than \$500 a year for the people who are

really struggling and who really need some assistance to invest in their future. Perhaps it could even be extended into the primary school levels. That would be a real investment in our future.

Some of the issues that arose during the estimates process are still causing concern. I am still concerned about and not satisfied with the explanation given for the jump in indigenous literacy and numeracy indicators about the place. There was a lengthy exposition given in the estimates and some written follow-up provided. It seems to say that we all started off by one day licking our finger and raising it in the breeze to see which way it was blowing. We have been working systematically around that. There is not a strong methodology and I am concerned that we are seeing a downgrading of educational achievement by not setting consistent and higher standards for indigenous children so that they can achieve at the same rate as the rest of us.

Some of the other issues are very concerning. On the surface some of these may seem inconsequential. During the estimates process I asked on notice for the minister to provide me with a rundown of the amounts of money that were spent on consumables in a whole lot of different curriculum areas. A lot of the science courses—chemistry and biology, for instance—have a consumables budget. Art and the manual arts and home economics have very high consumable budgets. The answer I got back was: “We do not know; we would have to ask all the schools individually as that would be too difficult.” Here is a minister who really does not have a good grasp of what is going on in his department and does not care. If he cared, I do not think he would be satisfied with the answer that comes back: “It is just too difficult; we do not want to know.” What it boils down to is that no-one has a good idea of how much money is being spent to make some of these vital classes work.

I have had teachers complain to me about how small their budget is for consumables in classes. A couple of years ago I came across a home economics teacher who had \$2.50 per child per class to provide ingredients for home economics. On that you would not be getting much beyond French toast and pancakes. You are not going to be able to provide enough ingredients to teach these children to cook anything on \$2.50 per child per class. As a result, most of the classes did not cook anything at all; they just talked about cooking. For many children this is their first experience of cooking and learning some of the skills that may set them up to live a healthy life further down the track. At \$2.50 per child per class you cannot provide a proper home economics program.

Art classes, manual art classes and woodwork classes are always strapped for resources. A senior science teacher at a government secondary college told me recently that she had \$27 per student for the semester to provide for her senior chemistry classes. She was tearing her hair out because she knew that she could not provide these things. At the same time, each of those schools has lots of money in the bank, but the teachers and the parents are not seeing it being turned into consumables in the classroom. The minister does not know about it and does not care.

On the subject of what the minister does not know, or perhaps does not care, and on a very important issue relating to the safety of our children in schools, during estimates I asked the minister: “Between the financial years 2004-05 and now, how many times

have police been called to attend incidents in ACT government schools involving violence or vandalism?" The answer came back that only the AFP would have a complete list of occasions during the period and therefore I should refer my questions to the AFP. It was interesting that a similar question was referred to the minister for police who was falling over himself; he could not wait to get the answer back.

Mr Smyth: Squaring-off, eh?

MRS DUNNE: Yes, it could be squaring-off. The answer for last financial year was 117 incidents of violence in schools, consisting of 99 assaults, 12 sexual assaults—and the Attorney-General and minister for police just told us a few minutes ago that sexual assaults are the most abhorrent crime that we could deal with—three robberies and three other offences against the person.

It is interesting that, in the fact sheets that I obtained under the Freedom of Information Act, you do get some figures. Mr Barr was asked these questions in estimates and he declined to answer them on notice, but he did have some data. The fact sheet that he took to estimates says that there were 59 critical incidents in ACT government schools during the 12-month period from 1 June to 31 May. This included 27 incidents involving some form of physical assault or violence. Four were of a sexual nature, three involved some sort of weapon and six involved adults—for example, parents, bus drivers, teachers and intruders. It is interesting that when we had this discussion in the media recently Mr Barr was very keen to blame parents as the perpetrators. By his own figures, of the 59 critical incidents that were reported to the department, six—about 10 per cent—involved adults. But Mr Barr was very keen to blame parents when it suited him.

There are some inconsistencies here. (*Second speaking period taken.*) The police do keep the records. It is a sorry indictment of an organisation which has a duty of care over our children, our future, that it cannot provide or will not provide these people with information. The discrepancy of 59 incidents recorded by the department of education as opposed to 117 over a similar period, not the same period, goes to show that the minister does not know what is going on in his department. By his own admission, since the minister instituted his new reporting mechanisms on 15 May until some time in July—I cannot remember the exact date—when I asked this, there had been 21 critical incidents reported, I think, over 32 school day periods. That is getting up to almost one a day. It shows that we have a real problem—a deep and entrenched problem—in our schools, but that this minister wants to sweep it under the carpet. The mechanisms for reporting that this minister introduced on 15 May are quite opaque.

During the estimates process when I asked the officials to show me where it said in the guidelines—which are on the internet—that if these things happen you call the police. The colour drained from their faces and there was a flurry of confusion. I said, "Don't worry; you can tell me about it at the break." At the break I got a five-minute explanation: if you look at this document, which is on the internet, and then search your way through this document to another document, which I think is also on the internet, to a third document, which is not on the internet, in the footnote it says, "If you get to this place you have to call the police." This is not transparency; this is not clear; this is no way to run an education system which is supposed to be about keeping our children safe.

This minister has failed on this, along with all his predecessors, who are trying to sweep this under the carpet and say, “We have signed up to the national safe schools guidelines et cetera.” We have seen here horrendous figures: 12 sexual assaults in our schools in the last financial year. Don’t you think we are ever going to learn anything? Are we going to do anything about this? Are we going to come here year after year and see these figures churned out? When is the minister going to take responsibility for it? When are we going to change the culture in our schools? What is he going to do to assist in changing the culture in schools so that teachers are not terrified by kids at school, their peers are not terrified by the behaviour of children at school and schools are not locked down? A high school in my electorate was locked down twice this year because of the behaviour of quite junior children in the school.

We have to have an end to this. This minister here is the person who really needs to take responsibility. He is the person with whom the buck stops. He is quite keen to talk about how he is improving the status of government schooling by spending a whole lot of money. But some of the things that you are going to have to do to improve the status of schooling in the ACT do not necessarily require bricks and mortar; they require a cultural change, and this minister is not prepared to do it.

We have seen again during the estimates process a complete reluctance on the part of a Labor minister to make any real commitment to non-government schooling, and we actually—at last—had some honesty. Over the years we have had successive ministers for education saying, “We will do something about it,” especially when it gets close to election time. The Chief Minister makes some vague undertakings that they will fix the problem after the election.

I commend this minister because at least he was honest when he said that he had no intention of increasing the level of funding to the non-government schools to anything like the level of funding that people who attend non-government schools in New South Wales would achieve. He may consider getting to a stage where we might provide national average funding. But that is a long way off.

The people who send their children to non-government schools in the ACT had better beware: the Labor Party is out for them. It spends its time talking about how it wants to look after all children, but when it really comes to the crunch the minister’s performance in estimates should have been an eye opener for any parent who sends their children to non-government schools. That, added to the attempts at various ALP conferences over the last few years to actually get into the ALP platform an undertaking not to provide any government funding to non-government schools, should make parents who send their children to non-government schools very afraid of this government and all of its companions in the states and territories. While there is a Labor government in this town, there will never be funding justice for people who send their children to non-government schools.

Let us not go through this charade of saying: “We are from the Liberal Party; we are elitist and we only care about children who go to non-government schools.” Let us talk about the real facts. The real facts are that in the ACT something like 80 per cent of children at some time in their career go to a non-government school. When you talk to the parents and look at the figures—these are the figures—you will see that there

are very few people who say, “I’m a non-government school person,” or “I’m a government school person.” Most people make the choices about their children’s education based on that individual child’s needs. They will send their children to the school of their choice, if they can afford to do so, because that is the school that is best for that child at that time.

I will use myself as an example. From time to time, my children have attended non-government primary schools; other children have attended government primary schools. Some have attended government high schools and some have attended non-government high schools. Some have gone to senior secondary education at non-government schools and others have gone to government senior secondary colleges. I am not an exception; this is what most people in Canberra do. What the Labor Party wants to do is to play wedge politics: “We’re for the government schools and we don’t care about anybody else.” I put on the record here that the Liberal Party is for children who attend school. Our commitment is to ensure sound and good investment and great education for children, irrespective of where they go to school.

We are not going to play the sectarian card. We are not going to play the elitist card. We are about making sure that children have the opportunity to choose which school they go to and that their parents are able to make that choice and it is not unnecessarily constrained by economic factors. When Andrew Barr and the Labor Party can make that commitment, we can have a real discussion about the future of our children’s education in the ACT.

I do not care where children go to school. I care about the fact that they get the best education and the best start in life that they can possibly get. It does not matter whether they are rich or poor. If the people in west Belconnen want the choice of sending their children to a school like Emmaus we should not be standing in their way—and Mr Hargreaves and Mr Barr colluded to do that the other day. We have a school that will become empty and they basically said, “You’re a non-government school; you need not apply.”

Mr Mulcahy: How can you justify that?

MRS DUNNE: There is no justification for this at all, except that they do not want children to have the choice. They do not want parents to have the choice. The children in west Belconnen have the choice of one school—the Katy Gallagher-Andrew Barr-Jon Stanhope super school. There are children and parents who do not want to attend the west Belconnen super school and they will be voting with their feet. They will be going elsewhere, probably at great cost to them. Somebody comes along and says, “I want to offer low-cost, non-government education in an area where there are very few choices for education,” and John Hargreaves and Andrew Barr say, “You need not apply.”

We have seen the fiasco of the government successfully taking back computers from high schools and colleges. There were too many computers in the high schools and colleges because they had reduced the number of teachers. First of all, it indicated a much higher level of reduction in staffing than the minister admitted to in estimates. We still have not got to the bottom of that because the minister will not provide an accurate breakdown year on year. (*Time expired*)

DR FOSKEY (Molonglo) (11.50): While I remember it, I just want to follow up Mrs Dunne's conversation about independent schools. Members will remember the legislation that went through in the last sitting of last year which ruled out the potential for Tharwa school to become a campus for any other non-government school. From time to time I receive emails and information from blue gum school, a small, independent school. It is not a religious school but it offers an alternative kind of education that is not available in the public system.

This might be an area in which Mr Hargreaves' department is working for the ends of the party or whatever, but some nasty things have been done to that school in its search for accommodation. So there is something in what Mrs Dunne said. I think the government should seriously discuss those issues. The people who go to blue gum school are not the elite of this town; they are looking for a genuine alternative—something that is not really available in the public system. We must either make everything available in the public system or accept that people will go outside for it.

Some disastrous decisions to close viable schools have undermined community fabric in places such as Cook, which is still fighting to save its school, Hall, Tharwa, Flynn, Macarthur and Kambah. These closures are still impacting on the lives of kids and their parents across Canberra. Basically, many people feel defeated. Flynn is still fighting—I am really pleased about that—and so is Cook. Tharwa feels quite disillusioned and we do not hear much from Hall.

The raw point is that many communities that are fighting to keep their schools and communities alive were led to believe that unsustainable economics led to the closure of their schools. But now that the government has found itself awash with money those same people must be wondering why they should believe any of the numbers that this government is throwing around. Was the real driver some kind of half-baked national benchmarking exercise that did not take into account social or educational costs and benefits?

I am confident that the thin analysis that led to these destructive decisions is hidden in the so-called functional review, and we know that that has been consecrated as cabinet-in-confidence. This year's budget did not address any of the problems that were created by the 2020 strategy, and the accompanying staff cuts in schools and in the department. More to the point, it does not appear to be pursuing a considered approach to addressing broader issues of education other than by investing in some new facilities.

It does not address the low morale of teachers. We must remember that the closure of schools was accompanied also by an EBA in which teachers traded off some of the things that made teaching in some cases not pleasant but just bearable. Anecdotally, I am hearing stories about teachers voting with their feet and leaving the public system. I do not think we can afford to let that happen.

ICT is important to the provision of contemporary education, so I welcome this government's investment in it. The ACT leads Australia in the provision of preschool education and we must continue to do so. I am afraid that a benchmarking exercise might see us moving back in the other direction, and I hope that we do not go there. I

fear that the focus on early childhood education as integration into primary schools is a way of doing that.

Do not forget that one of the schools that was leading the ACT in the integration of preschools with local primary schools was Tharwa, but it was not convenient to have it happening there. We now have a preschool—thank God we have a preschool—but it is stuck alone in a little part of an empty and sad heritage school building. While I believe that there is a role for standalone preschools—and I am not convinced that integrating them into primary schools, in particular, large primary schools is by definition a good idea—I believe that there is something to gain for our whole community if parents come together through the education of our kids.

The role of local schools is really important for the coherence of our community. They could and should be part of reinvigorated local centres that work to promote better connectedness, greater physical fitness and so on. Of course, I am pleased that Gungahlin secondary college and the CIT campus are finally coming on stream. I know that the citizens of Gungahlin often feel that they live in another country from the rest of Canberra because they have had to battle years of inadequate broadband, narrow streets, long waits for shops and services, and no swimming pool or other recreational facilities. At least they will now get a CIT campus and a college, and I hope that Tuggeranong will also get this.

I am concerned that the new curriculum framework, which is to be finalised and implemented next year, has not had the warranted attention. The fact that one of the key learning areas, languages other than English, appears to have been abandoned in the draft curriculum has barely been acknowledged. In the context of an intercultural society able to engage with an internationally focused world, that is not a good sign. I also think that the national context is starting to cast a shadow over the ACT's public education system. There is now a significant threat of a national standardised curriculum and testing, and my fear is that the kids at the extremes of capacity and achievement will miss out if that happens.

There are real issues with secondary education in Australia and I do not see in this budget any vision, project designed or intention to address it. While non-government education, through increased federal funding, is able selectively to provide an environment for some students, the broad issues are not being addressed. There is no strategy for addressing or even considering the drift away from government schools or, more particularly, any investment in programs that address the specific needs of young people in danger of exclusion from our educational system.

New buildings and equipment and gyms are attractive, but they will go only so far in imaginatively responding to those challenges. It certainly is not the buildings that make Narrabundah college such a sought after school. The number of teachers has been cut in ACT schools on the basis of benchmarking against other states. I fear that we will always be chasing other states in a race to the bottom if we adopt this approach when we could be, and were, leading the way to the top.

Given that the ACT government is flush with funds this year, I urge the education department to make a bid for investment in some pilot schemes to explore a range of ways to engage young people in the community around them. I welcome the promise

to implement the recommendations of the review of secondary colleges, which has highlighted a failure to provide sufficient strategies to engage kids with a wide range of capabilities and interests. I believe that one of the elephants in the room remains the weakness of the university admission index as it applies in the ACT.

I am aware that the people who have defended the system from attack have done so robustly but it seems to me that they all have an investment in it. While I oppose standardised testing as a way of determining student opportunities after school, as I believe the ACT system is a good one, it would be interesting to see what a national test would show us about the attainments and capacities of students in the ACT compared to those in other states.

MR MULCAHY (Molonglo) (12.00 am): I seek leave to table these undelivered speeches and to have them incorporated in *Hansard*.

Leave not granted.

MR SPEAKER: The time being near enough to 12.01 am, in accordance with the motion passed earlier this evening, the time allotted for this debate has expired.

Proposed expenditure agreed to.

Remainder of bill agreed to.

Bill agreed to.

Standing orders—suspension

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

That so much of the standing orders be suspended as would prevent order of the day No 4, Assembly business relating to the Government response to the Report of the Select Committee on Estimates 2007-2008, being called on forthwith.

Estimates 2007-2008—Select Committee Report—government response

Debate resumed from 29 August 2007, on motion by **Mr Stanhope**:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Standing orders—suspension

MRS DUNNE (Ginninderra) (12.02 am): I move:

That so much of the standing orders be suspended as would prevent Mr Mulcahy from incorporating his speech into *Hansard*.

Mr Corbell: We do not know what is in them. We will not agree to it unless we know what is in them. That is the usual practice for incorporation.

MR SPEAKER: Order! There is a motion before the house.

MRS DUNNE: What we have seen tonight is an entirely unprecedented attempt by the government to close down debate. That has now been made worse by the government's attempts to prohibit people from incorporating speeches into *Hansard*. Mr Corbell gives the excuse, "We will not give permission because you have not sought our permission beforehand", but this Assembly still has its own rules. At this stage its rules do not require members to get permission from the manager of government business before they speak and to have their speeches vetted.

Mr Mulcahy, as the shadow treasurer, sat through all the debate in this chamber, unlike the Treasurer and most of the members opposite. Mr Mulcahy has been here for almost every one of the 15 or 16 hours that we have talked about and he still has many more contributions to make. Today the manager of government business said, "You cannot put your words into *Hansard* because I have not vetted them." When will we see the rules that state that no member of the opposition or crossbenches can speak until the manager of government business has vetted what they have to say? This is a dictatorship. This new rule was tyrannically introduced by the manager of government business because he has the numbers. There are plenty of forms around this place that have continued throughout self-government. It has never been the case that members have had to seek permission from the manager of government business to incorporate documents in *Hansard*. In fact, only last week I was given leave to incorporate a document in *Hansard*.

It was all right last week but it is not all right tonight. Mr Corbell, as the manager of government business, can barely keep awake. If he cannot stand the heat he should get out of the kitchen. He should go and find himself a nice nine to five job and make his space available for somebody who has a bit of stamina and who will look after the interests of the people of the ACT. If he cannot bring himself to stay here and he wants to go home and get his beauty sleep, that is all right. The people of the ACT deserve scrutiny and opposition members are entitled to have their views heard. If those views are not heard because the minister wants to close this debate, opposition members are at least entitled to put them on the record so that the people of the ACT can read them. We have to suspend standing orders because the routine processes of this Assembly are being thwarted again tonight by the manager of government business.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services) (12.06 am): I always love it when Liberal Party members go for the macho argument, "We are tougher than you and we can handle a longer debate." I think those sorts of politics are pretty miserable and sad. I do not think anyone in this city would seriously think that much is considered or is thoughtful at 2.00 am or 3.00 am.

For as long as I have been here—and I have been here for some time now—that has been the convention in this place. I can recall periods during the Carnell Liberal government when leave was sought by government ministers, for example, to have

introductory and other speeches for bills incorporated into *Hansard*. The agreement between the parties then, and it has been again tonight, is that courtesy is given to the other side to see what is proposed to be incorporated into *Hansard* before it is incorporated.

There is a good reason for that. If someone just says, “Can you please incorporate this into *Hansard*?” and you say yes and then all of a sudden you see in the *Hansard* that the member has a go at everyone under the sun, makes personal attacks and makes unparliamentary comments, there is no possibility for reply. Earlier this evening—

Mr Mulcahy: New approach, Simon, new approach.

MR CORBELL: I am sorry, Mr Mulcahy, but I have been in this place since 1997. I have seen this in practice time and again under both Liberal and Labor governments. In marked contrast to Mr Mulcahy’s approach, Mr Stefaniak approached me earlier this evening and said, “Can we incorporate speeches into *Hansard*?” I said, “Yes. Do us the courtesy of showing us what is in it so that we do not get into the situation where members are attacked and there are political jibes.”

Mrs Burke: Was that before or after you decided to shut it down?

MR CORBELL: It was after, Mrs Burke. Mr Stefaniak came to me at about 11.00 pm this evening and asked whether he could incorporate his speeches into *Hansard*. I said, “Yes, but please do us the courtesy of showing us what is in them.” So he did and, guess what, we agreed that they should be incorporated into *Hansard*. That is the courtesy and that is the convention. But the government will not agree to incorporate into *Hansard*, sight-unseen, what Mr Mulcahy thinks should be in *Hansard*. Just do us the courtesy of showing us what you are proposing.

This is not about vetting it; it is about seeing what is in it so that if a government member is being unfairly attacked or other unparliamentary assertions are being made there is an opportunity for reply. It is not my problem if Mr Mulcahy does not know the forms of this place. It is not my problem if Mr Mulcahy does not have the wisdom of his leader to approach this in a sensible manner. We have given that courtesy to the leader because he knows the forms in this place.

Members interjecting—

MR SPEAKER: Order!

MR CORBELL: Mr Stefaniak knows the forms in this place. He accepted it and we were able to reach an acceptable outcome for all parties. That is all we are asking of Mr Mulcahy but, if he is not willing to do that, the government is not willing to agree to incorporate it in *Hansard*.

DR FOSKEY (Molonglo) (12.09 am): While we are discussing this issue, I think it would also be fair to incorporate my speeches. We do not vet our speeches before we give them verbally, so I do not think that argument holds up, Mr Corbell. This debate was truncated without us knowing. If we had discussed this matter earlier today I am sure that all members could have sought permission to let government members read

their speeches. We would have been only too delighted to let government members read our speeches. I do not believe that the government should vet our speeches before they are delivered.

Given that it was your choice to truncate debate tonight that seems to be the only fair thing. That is the only way you can redeem yourselves as a government—a way that respects democracy and the rules of debate on one of the most important issues that we are debating on the one late night that we have every year. If the word “graciously” is a word that can be applied to a smirking bunch of people, they should graciously invite us to submit our speeches so that they can be incorporated in *Hansard*. I am waiting for an invitation otherwise I am afraid that this government does not have my respect because of the way in which it treated the rest of this house tonight.

MR MULCAHY (Molonglo) (12.11 am): I was not aware of the arrangement that Mr Corbell tells me he entered into at 11 o'clock tonight. I would have thought, as a courtesy, as I have had responsibility for the opposition's position and I have sat in this chamber for many hours throughout this debate, he might have extended me that courtesy.

If Mr Corbell wants to read these speeches I suggest that he should get off his tail and come and read them because his precious sensitivities will not be offended. I have not delivered an offensive speech in this place since I have been here and I am not about to start. I do not stoop to the temperamental antics that I see amongst members opposite because I am quite capable of articulating arguments on economic grounds.

Mrs Burke: Let the Speaker make the decision.

MR MULCAHY: I will let the Speaker determine the orders and not Simon Corbell. The bottom line is if that Mr Corbell wants to come and have a look at these speeches and he is so distressed that he cannot handle criticism—I know he is sensitive to criticism because we see him leap down here every time his name is mentioned—he should feel free to read them. The offer is here for him.

I share Dr Foskey's view on this. This is the first time in self-government that anybody has ever pulled this stunt of shutting down reasonable debate and discussion. For the record, it is interesting that on Tuesday night we were getting temper tantrums from the Chief Minister. He was waving and carrying on from the other side of the chamber. On Tuesday night we were barely into the debate when the Chief Minister, who was standing near to where Mr Barr sits, said to me, “I am going to adjourn debate. I am going to shut it down. I want to go home.”

That is not the way for democracy to operate in our city. I do not retreat from the view that he has handled this inappropriately. He has hardly been here, he has not done the job, and he has all the classic signs of somebody who is letting majority government go to his head. Usually, there is an electoral outcome for governments who get arrogant. I worked for one once. It got to a point where it lost touch and the people threw it out. The fact of the matter is that this government is getting more and more out of control with its majority, it is riding over proper scrutiny, and I think the people of Canberra will be suitably disturbed by its performance.

Motion (by **Ms MacDonald**) put:

That the question be now put.

The Assembly voted—

Ayes 7

Noes 6

Mr Barr
Mr Berry
Mr Corbell
Mr Gentleman

Mr Hargreaves
Ms MacDonald
Mr Stanhope

Mrs Burke
Mrs Dunne
Dr Foskey
Mr Mulcahy

Mr Pratt
Mr Smyth

Question so resolved in the affirmative.

Question put:

That standing orders be suspended.

The Assembly voted—

Ayes 6

Noes 7

Mrs Burke
Mrs Dunne
Dr Foskey
Mr Mulcahy

Mr Pratt
Mr Smyth

Mr Barr
Mr Berry
Mr Corbell
Mr Gentleman

Mr Hargreaves
Ms MacDonald
Mr Stanhope

Question so resolved in the negative.

Mr Reg Walters—retirement Statement by Speaker

MR SPEAKER: Before I call on the minister to move the adjournment debate, I would like to make a brief statement concerning our senior chamber attendant, Reg Walters. Today marks the last day in the chamber that Reg will be with us before he retires next month. He will probably remember this session as it has been quite a lengthy exposure to the parliamentary process.

Reg has been with the Assembly since 1997—firstly, as a sessional attendant and, later, in his current role. I wager that when he writes his book it will have some interesting things in it because my experience with attendants is that they pick up a fair bit around the place. So, Reg, I urge you to write a book one day; it would be interesting reading.

Reg's always friendly demeanour has been appreciated by all of us all of the time. We will miss you, Reg. On behalf of all members I would like to wish you and your family all the best for the future and trust that you enjoy the rest of your life doing whatever it is you want to do and, I hope, remembering us warmly.

Members: Hear, hear!

Adjournment

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

That the Assembly do now adjourn.

Education—school-based management

MRS DUNNE (Ginninderra) (12.20 am): Freedom of information is a useful device. I know that the department of education and the minister for education are extremely concerned by it. My last little freedom of information foray into the department of education revealed a treasure trove of information through the fact sheets that the minister and his officials took to the last Select Committee on Estimates. Hidden away amongst all these things are some great gems, one of which I would like to share with members tonight.

I refer to A to E reporting. Mr Speaker, you might recall that a couple of years ago A to E reporting was imposed in a draconian way by that terrible government on the hill, which is always bemoaned by Labor states. A cavalcade of people came out and said what a dreadful thing A to E reporting would be. Members would be interested to know that recently the department consulted with stakeholders on the new reporting arrangements and parents were asked to complete a survey from a sample of primary schools and high schools at the end of 2006.

Earlier this year the principals and teachers in focus groups discussed the key issues raised by the parents. The key findings from this consultation process were that, in general, parents valued receiving the hard evidence of their children's progress of an A to E grade along with comparative class information. Eight in 10 parents indicated that they thought A to E reporting provided useful information. Parents also valued the other information on school reports about their children's strengths, areas of development, strategies for improvement and the social development and work habits of their children.

For teachers and principals there was a fairly positive response to the new reporting format, though this did vary. High school teachers were more positive than primary school teachers, the main reason being that they have been reporting in this format for some time. For all teachers the greatest benefit from the A to E reporting process was the professional community within the school, as teachers discussed the awarding of A to E grades. Most schools and teachers saw a problem, that is, an increased workload.

We found hidden away in the estimates fact sheets that despite those who said nay and despite all those who said, "This is the end of civilisation as we know it," A to E reporting, which was insisted on quite strongly by Dr Brendan Nelson, the previous Minister for Education, was a winner with parents. This is what parents wanted. All the carrying on by education bureaucracy and commentators has been shown to have no value because the people who are benefiting from this are the parents—the people who are making the primary education decisions about their children's educational future. They are learning something from it and they value it.

I congratulate the department on being courageous enough to do the survey and to put together the information when I know as an organisation it was quite opposed to its introduction. I am glad that it did this. I congratulate it on its courage and I encourage it, the minister and all those involved in education. Just because the federal government suggests an educational innovation they should not necessarily say, in a knee-jerk reaction, "This is the wrong thing to do."

Eight in 10 parents who undertook the survey indicated that they were happy with A to E reporting. They valued hard evidence of their children's progress, which was enough for them to say this was a good measure. Some of those other measures that this minister and his bureaucrats are rejecting may be just as beneficial to parents and students.

Education—funding Schools—bank balances

MR MULCAHY (Molonglo) (12.25 am): Tonight I would also like to talk about education. As is the wont of this government in the area of health, it has made much of its high spending on education as though the active spending of money was a great achievement. We heard the minister say on radio and every time that he is questioned about unspent funds and massive amounts being held in bank accounts, "That is the \$350 million we have injected." He tries to dismiss out of hand the concerns being expressed by schools and parents.

Unfortunately, there are still many problems within the ACT school system. The ACT Auditor-General's report into vocational education and training found significant problems with vocational education in the ACT. The report found that the ACT is one of the highest cost jurisdictions in the cost per hour of training. Despite this high cost, the report also found that graduates, module completers and employers in the ACT had the lowest level of satisfaction with the quality of vocational courses of any jurisdiction in the country.

Despite this government's so-called commitment to school shortages we do not hear the minister talk much about this. It is not very appealing when we look at the analysis provided by the ACT Auditor-General. Canberra has the highest spending and the lowest results. It certainly is not the style of this government to talk about achievements and outcomes. Instead it just talks about how much money it is throwing around. This is a standard response when the government is asked about any aspect of the education system. Yesterday I heard the government say, "We are spending X dollars on this and we are spending Y dollars on that."

So eager is the ACT government to spend taxpayers' money that it is still throwing it over the border at New South Wales. Under the current arrangements ACT taxpayers still substantially subsidise students in New South Wales. We are told that the minister is in negotiations with the New South Wales government. We certainly hope that it can secure proper compensation in this area. However, it bewilders me that these things seem to take such an incredible amount of time to resolve.

As it has been pointed out on many occasions by my colleague Mrs Dunne, it is evident that there is a measure of hostility to the non-government school sector

generally. It seems that the government is not sympathetic to the interests of the non-government school sector. It is very proud of its efforts to ensure that government schools are able to match non-government schools but, unfortunately, much of this effort has been to straitjacket the latter rather than to improve the former.

We have seen, for example, the new uniform guidelines for schools and there is further evidence of the ACT government's central planning attitude towards the private schooling sector. During estimates on 20 June the Minister for Education was asked a question about the drifting enrolment towards private schools in the ACT. He responded as follows:

We have also sought to address a range of other issues that all of the research identifies as factors in the drift from public to private schools. Key to that are issues around discipline and policies to address bullying and harassment. I was very pleased after an extensive period of work over the last 12 months to announce new policies within the public system last month tightening a range of procedures and practices around the reporting of critical incidents within public schools, providing a new framework and a greater level of accountability within the public system to address those issues which are identified by parents as a major concern.

Having identified a drift from public to private schools, and having identified that parents have been moving their children away from public schools and into private schools, the government looked at studies to see why that is the case. It found, amongst other things, that discipline and bullying are two of the reasons. In other words, parents who are moving their children into private schools apparently think that this is an issue, and evidently they believe that the private schools, the non-government schools, are doing a better job in this regard.

So one should then ask: What would the ACT government do? Does it seek to emulate this? Does it send its key people over to these private schools to get some pointers? No, it develops a new policy and then it seeks to impose the new policy on non-government schools. In other words, officials identified the fact that they are not doing as good a job as the private schools but they are then coming in and telling them what they have to do. Apparently, as Mr Barr put it in estimates hearings, this is all in the interests of uniformity.

Education—school-based management Schools—bank balances

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (12.30 am): I am drawn to my feet by the comments of the two previous speakers and want quickly to put something on the record relating to school-based management. My office managed to dig out a media release from the leader of the opposition when he was the education minister. I need to quote a couple of sections from Mr Stefaniak's press release of 9 February 2000 in which he lauds the rich rewards for ACT students from schools-based management. The media release begins:

The success of schools-based management has left Canberra schools with around \$23.5 million to spend on improving facilities and educational opportunities for their students, according to Education Minister Bill Stefaniak.

Mr Stefaniak said that the ACT schools have a combined bank balance of around \$23.5 million, thanks largely to substantial savings delivered by enhanced schools-based management. The bank balances include a first part payment for 2000 and the schools are still to receive a further \$80.5 million.

Schools-based management was introduced to allow schools more autonomy in their finances and to potentially make savings to spend on other areas of education.

Here is the killer. The media release states that Mr Stefaniak, the education minister, said:

The system is obviously working to the point that after three years schools have built up their bank balances to more than \$23.5 million.

Mr Stefaniak said it was encouraging to see some schools starting to use their savings to deliver a wide range of extra services for students and staff.

He goes on to give some very nice examples, not dissimilar to the ones I gave in question time yesterday. He then goes on to talk about how proud he is of the former government's education spending record and how it was building up education spending over each of its six consecutive years in government.

It is fascinating that seven years on, they are deriding a system that they introduced in this place. Mrs Dunne has been saying that this is as a result of the fact that school bank balances are up in 2007 and that it is a disgrace that schools and the government are not managing their funds appropriately. Yet back when the leader of the opposition was education minister in 2000, when schools had about \$2 million more in their bank accounts than they currently do when the most recent figures were released, this was put forward as a great success, as a great triumph. What a bunch of hypocrites Liberal opposition members are!

Question resolved in the affirmative.

The Assembly adjourned at 12.33 am until Tuesday, 25 September 2007 at 10.30 am.

Incorporated documents

Attachment 1

Documents incorporated by Mr Stefaniak

Bill Stefaniak budget speech – Legal Aid Commission

- The Legal Aid Commission performs an important role in helping people with low incomes to access legal help.
- In my experience, they generally perform their jobs well.
- There is always room for improvement and it is good to see that the Legal Aid Commission is seeking to improve its services.
- The Legal Aid Commission lists its priorities as:
 - negotiating a new ACT/Australian Government funding agreement;
 - expanding duty lawyer services at the ACT Magistrates Court to support the new Criminal Listing procedures;
 - reviewing and developing legal aid services in civil law matters;
 - undertaking a feasibility study into a Prisoners Legal Advice service at the new ACT prison; and
 - developing procedures for electronic application lodgement, eligibility assessment and funds transfer to meet existing and developing requirements of clients and legal practitioners.
- I note that the Legal Aid Commission is seeking an increase from the Commonwealth Government in its funding agreement.
- It is seeking money both for the Territory's increased population since 2004 and for services provided to NSW especially for services for indigenous Australians.
- I wish them every success in negotiations with the Commonwealth.
- The expansion of duty lawyer services at the ACT Magistrates Court to support the new Criminal Listing procedures is welcome.
- It should be of great assistance to those who need help.
- I look forward to seeing the outcome of the review of legal aid services for civil law matters.
- People on a low income often need assistance on civil matters such as family law matters.

- The feasibility study into the provision of a service at the new prison and remand centre is welcome.
- I will be interested to see the outcome of this study as it could be a valuable service to remandees needing legal assistance.
- The development of procedures for electronic application lodgement, eligibility assessment and funds transfer to meet existing and developing requirements of clients and legal practitioners is welcome.
- Hopefully, this will improve the efficiency of processes and free resources to help the disadvantaged.
- The Estimates Committee recommended that better data about the types of matters funded and the profile of recipients be made available.
- In particular, the committee had concerns about data about indigenous people and their access to legal aid as well access to legal aid in various fields of the law.
- It is encouraging that the Legal Aid Commission seemed aware of these issues and hopefully the information will be presented in a more useful format.
- There was also a concern about Output Class 1.2 called In-house Legal Payments.
- This included all expenses that weren't a direct payment to external legal practitioners.
- The Estimates Committee recommended that this Output Class be renamed In-house services.
- I understand that the Government has taken this on board.
- The Legal Aid Commission helps the disadvantaged to access the legal system and should be able to continue providing its services given this allocation and continued support from the Commonwealth.

ORDERS OF THE DAY – 30 August 2007

Appropriation Bill 2007-2008

Resumption of Debate – Mr Stefaniak

Part 1.20 – Public Trustee

Mr Speaker, the Office of the Public Trustee is one of those quiet achievers that we all admire so much. It is one of those organisations that provide a much needed and highly professional public service, but do it without loud fanfare.

Writing Wills is the Public Trustee's primary task. In the more than 22 years since its establishment the office has written in excess of 12,500 wills. The

Office is thereby at the forefront of professional Will-making and estate administration in the ACT.

According to its 2006 Annual Report, the Public Trustee also provides services in estate planning and management, personal asset management, powers of attorney, and tax return preparation – they prepared over 900 tax returns last year – as well as a range of statutory services.

Their trustee services are not available in any other public or private business in the ACT.

And they take their Community Service Obligations very seriously indeed, providing a range of services to those persons in the community who are either unable to manage their own affairs or, through reasons of hardship, do not have access to affordable trustee services in the private sector.

Mr Speaker, a particularly fine objective of the Office of the Public Trustee is to become financially independent of the government by 2010.

Through their careful financial management practices, the Office of the Public Trustee achieved a net operating surplus in 2006 of almost \$500,000, which was nearly twice the level achieved the year before. The estimate outcome for 2006-07 is even higher, at \$586,000.

Perhaps the government could learn a thing or two about financial management from the Office of the Public Trustee.

In all this, Mr Speaker, the Office of the Public Trustee is guided, governed and regulated by no less than 13 pieces of legislation. It is a formidable task indeed for a small organisation of only around 30 staff to be across such a long list.

Clearly, it can't be avoided with the variety of work done by the Office of the Public Trustee, but it still represents a considerable roll of red tape for any business-focused organisation to have to face.

And yes, Mr Speaker, as a business-focused organisation, the Office of the Public Trustee advertises its services. But unlike the government and its recent political advertising for the budget, the Office of the Public Trustee advertises to inform the public of what it is and the range of services it offers.

Indeed, in the Estimates Hearings, the Public Trustee, Mr Andrew Taylor, when asked about why he advertises, responded that the Office of the Public Trustee had an identity problem. The public did not know what the Public Trustee was or did.

Their advertising program involved a re-branding for the organisation, establishment of a website and re-location of their offices with the assistance of a grant of \$500,000 from the federal government. This was supported by some judicious advertising placement, including \$10,000 worth of free advertising, along with developing useful links with other relevant organisations.

In addition, the Office of the Public Trustee established and is the trustee for the Capital Region Community Foundation. It is otherwise known as the Greater Good Foundation and is chaired by the former President of the Senate, the Hon Margaret Reid.

The Office established this fund with no start-up capital, with the fund itself now being administered on a voluntary basis. Already it has amassed nearly three million dollars in donations and aims to have \$10million in the trust within five years.

All of these activities, Mr Speaker, have enabled the Office of the Public Trustee to grow its business, to achieve the kind of operating surplus I mentioned earlier, and to work towards the ultimate goal to be financially self-sufficient.

Mr Speaker, the Estimates Committee raised just one relatively minor issue for the Office of the Public Trustee, and that is that it provided no accountability indicators in the government's budget papers.

Certainly the Office's Annual Report provides a significant amount of information about business outcomes. However there is not much in the way of accountability indicators against which those outcomes can be measured.

Given the extent of the information it has available and the ease with which that information can be compiled, I would encourage the Office of the Public Trustee to consider this matter for future years.

That said, Mr Speaker, I commend the Office of the Public Trustee for the good work it does in public service for our community, for the innovative approach it takes to running its business, and for the very pro-active manner in which it makes its services available.

I am very pleased to be able to support the budget funding for this valuable and highly valued organisation in our community.

Answers to questions

Roads—Goyder Street (Question No 1604)

Dr Foskey asked the Minister for Territory and Municipal Services, upon notice, on 29 May 2007:

- (1) Has the Department of Territory and Municipal Services conducted any studies into traffic flows on Goyder Street, Narrabundah, which is classed as residential but used as a short cut to Hindmarsh Drive by a high volume of drivers;
- (2) What measures does the Department intend to take to curb dangerous driving behaviour on this street, particularly in regard to cars speeding, not observing stop signs and driving at unsafe speeds over speed bumps, given that the current traffic control measures do little to control this;
- (3) Have the speed bumps on Goyder Street been lowered from their original height, therefore facilitating, rather than curbing, speeding;
- (4) What will be the impact of planned new residential developments on Goyder Street on traffic flows and the availability of resident parking;
- (5) Can the Minister provide figures on the number of pedestrian and vehicle accidents on this road in the past five years, or for any number of years for which records are available if less than five years.

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

1. Traffic studies on Goyder Street, Dalrymple Street and Sprent Street have been carried out and, following consultation with local residents, several measures were implemented on these streets to reduce traffic speed and through traffic.

As part of the on going traffic monitoring program, a post implementation evaluation was carried last year to assess the effectiveness of the above measures. The residents of Narrabundah were consulted and their comments and concerns were taken into consideration.

This evaluation recommended the need for changes at the intersection of Goyder and Dalrymple Street to improve traffic safety. Further studies are now being carried out to determine the most appropriate improvement and residents will again be consulted before implementation.

2. My Department considers that there is adequate traffic calming measures already installed on Goyder Street to reduce traffic speed and to deter through traffic. In addition the street is designated as one in which mobile speed cameras can operate. The traffic situation on this road will be monitored on a regular basis and further action will be taken if considered necessary. Also ACT Policing will be requested to increase the enforcement if considered necessary.
3. There were some modifications carried out at the speed humps on Goyder Street at the time of installation. This was because they had been initially installed incorrectly. Currently these devices are operating satisfactorily and hence my Department has no further plans to modify these devices.

4. Development applications in residential areas are assessed and approved after taking into consideration a number of factors such as traffic and parking generation, access arrangements to the development block, facilities for waste collection, traffic noise etc in order to maintain the required level of residential amenity. In certain situations additional measures are also incorporated as part of the approval conditions to mitigate the impact of the development on the residential amenity.

On this basis, approval was granted for the new residential developments on Goyder Street. The additional traffic generated by these developments was found to be not significant when compared with the environmental capacity of the road. Also no provision has been made for on-street parking for these developments. The necessary parking facilities, for residents as well as for visitors' parking, will be accommodated within the block boundaries.

5. There have been 7 recorded crashes on Goyder Street, between Dalrymple Street and Jerrabomberra Avenue from 1 December 2001 to 30 November 2006. No accident involving pedestrians was recorded during this period.

Stirling—block 13 section 22 (Question No 1626)

Mr Seselja asked the Minister for Planning, upon notice, on 21 August 2007:

- (1) In relation to the answer to question E07-79 asked during the Estimates 2007 08 hearings concerning Block 13 Section 22 Stirling, in which the Minister stated that the Director of Public Prosecutions did not proceed with a case regarding the failure of a builder to comply with a rectification order because the statute of limitations had expired, on what basis and by whom was the matter referred to the Director of Public Prosecutions.
- (2) Is the referral source satisfied with the outcome of this matter;
- (3) What were the circumstances that led to the statute of limitations expiry;
- (4) Why was the case not dealt with within the period of the statute of limitations.

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

- (1) The matter was referred to the Director of Public Prosecutions (DPP) on the basis that the builder committed an offence under section 40 of the *Construction Occupations (Licensing) Act 2004* by failing to carry out the rectification work by the date specified in the rectification order. An ACT Planning and Land Authority compliance auditor referred the matter to the DPP.
- (2) The referral source has no opinion in these matters.
- (3) Section 192 of the *Legislation Act 2001* determines when prosecutions must begin. In this case a prosecution needed to begin no later than 1 year after the day of commission of the offence on 17 December 2004.
- (4) That is a matter for the DPP.

**Roads—Horsepark Drive
(Question No 1635)**

Mr Pratt asked the Minister for Territory and Municipal Services, upon notice, on 21 August 2007 (*redirected to the Minister for Planning*):

- (1) In relation to a sign entitled 'Gungahlin Suburbs Information Map' placed at the end of Horsepark Drive, which was due to have been completed in 2006, which is approximately five by four foot and in full colour, why does the sign depict an area that is still incomplete;
- (2) Why was a sign placed in an area that essentially leads nowhere;
- (3) Why is Horsepark Drive still incomplete when it was due to be completed by 2006;
- (4) What was the cost of (a) the sign and (b) erecting the sign.

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

- (1) The 'Gungahlin Suburbs Information Map' has been erected at six separate sites throughout the Gungahlin area. Essentially the aim of the signs is to inform residents of the location and form of future residential areas in Gungahlin, as well as provide a reference map for tourists.
- (2) The sign depicts existing suburbs as well as future development areas, and advises local residents of the intention to extend Horse Park Drive in association with future development.
- (3) The section of Horse Park Drive between Ngunnawal and Amaroo was not programmed for completion in 2006. This may have been inferred from a contractor's sign for the construction of an earlier stage of Horse Park Drive.
- (4) The cost of supply and erection of the sign was \$729.

**Prices—diesel fuel
(Question No 1640)**

Dr Foskey asked the Minister for Business and Economic Development, upon notice, on 22 August 2007:

- (1) Is the Minister aware that diesel fuel is more expensive than unleaded petrol in Canberra;
- (2) Is the Minister aware that this is not the case elsewhere;
 - (1) Can the Minister explain why this is the case;
 - (2) Does the Government have any plans to address this issue.

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

- (1) Yes.

- (2) It is not true that diesel is, on average, cheaper than petrol outside Canberra. According to the Australian Institute of Petroleum (AIP), the national average price of diesel for the week ending 19 August 2007 was 130.8 cents per litre, compared with 121.6 cents per litre for petrol. In Sydney diesel is 11.2 cents per litre more expensive than petrol, and in Canberra diesel is 10.3 cents per litre more than petrol, according to the AIP, for the week ending 19 August 2007.

At points in time diesel may be cheaper than petrol as petrol is subject to a price cycle with much larger movements than diesel. At the high point in the petrol cycle, diesel may be cheaper than petrol. Diesel is subject to less aggressive competition than petrol and so the price of diesel is more stable. According to the ACCC, Canberra does not experience regular price cycles. This means that diesel is consistently more expensive than petrol.

The Government neither controls nor sets the price of petrol or diesel.

Canberra Hospital—breastfeeding facilities (Question No 1645)

Dr Foskey asked the Minister for Health, upon notice, on 22 August 2007:

What facilities are there for staff working at The Canberra Hospital to allow them to breastfeed their infants during working hours.

Ms Gallagher: The answer to the member's question is as follows:

There is a breastfeeding room equipped with a clean refrigerator, sink and comfortable chair available on Level 2 of Building 11 at The Canberra Hospital for staff wishing to breastfeed or express breast milk. A key for this room and access information is available on request from the Postnatal Ward. Staff can access a breast pump and lactation consultant on site.

The Australian Breastfeeding Association recently awarded ACT Health accreditation as a Breastfeeding Friendly Workplace.

Gungahlin secondary college (Question No 1650)

Dr Foskey asked the Minister for Education and Training, upon notice, on 22 August 2007:

Can the Minister advise when (a) construction will commence, (b) construction will be completed and (c) the first Year 11 classes will operate, at the Gungahlin Secondary College.

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

- (a) The schedule provides for construction to commence in July 2008. This commencement date is subject to the planning approval processes.

- (b) The schedule provides for construction to be completed in January 2010.
- (c) The schedule provides for classes to commence in term 1 2010. The college would commence with a year 11 class only in the first year.

**Education—Higher School Certificate results
(Question No 1661)**

Mrs Dunne asked the Minister for Education and Training, upon notice, on 23 August 2007:

Did the Minister in answering question E07/160 admit that the answer to question on notice no. 1363, dated 16 November 2006, was incorrect; if so, will the Minister correct the record.

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

No. Prior to the ACT establishing its own system, ACT students were part of the NSW student population for year 12 certification purposes and therefore included in the 1975 figure of 29 597.

**Universities admissions index
(Question No 1662)**

Mrs Dunne asked the Minister for Education and Training, upon notice, on 23 August 2007:

- (1) In relation to the process used by the ACT Board of Senior Secondary Studies (BSSS) to calculate ACT Universities Admission Indexes (UAI) as set out in the current 2007 edition of the BSSS Policy and Procedures Manual (the Manual), why does the Manual not contain any details of the changes to the UAI calculation process that were made in late 2006, as reported in The Canberra Times on 20 December 2006 and 28 April 2007;
- (1) Are there any plans to amend the Manual to explain the changes referred to in part (1); if not, why not;
- (2) Has a NSW Scaling Committee Table (Table) played a role in the UAI determination process, as described in sections 5.4.1 (page 51) and 5.4.3.3 (page 52) of the Manual;
- (3) Why does the Manual not include a copy of the Table;
- (4) Is the Table available for inspection anywhere on the BSSS or Department of Education and Training (DET) websites;
- (5) Did the Table used in 2006 differ from that used in 2005; if so, (a) what were the differences and (b) how did they affect UAIs;

- (6) Can the Tables used to determine UAIs in 2006, 2005 and other past years be placed on the BSSS and/or DET websites so that affected students, parents and other members of the public may inspect them;
- (7) Given that “the UAI is a ranking of a student relative to the full age cohort ie relative to the set of students who would be in the group if all students stayed on and completed Year 12”, the Manual, section 5.4.3.3 (page 52), why are notional aggregates (a) only calculated for ACT senior secondary system students (references to ACT senior secondary system students exclude students from Canberra Grammar School) who complete Year 12 and at least one T subject, as stated in section 5.4.1 on page 51, (b) not calculated for ACT senior secondary system students who do not complete a T subject but do complete Year 12, given that such students are part of the full age cohort that UAIs are supposed to rank and (c) not calculated for ACT senior secondary system students who do not complete Year 12 but do complete at least one T subject, given that such students are clearly part of the full age cohort that UAIs are supposed to rank;
- (8) How does the ACT UAI calculation process take into account those students who complete Year 10, and are hence part of the full age cohort which UAIs are supposed to rank, as reflected in the NSW UAI determination process, but who do not complete Year 12 and at least one T subject;
- (9) Is it a reasonable expectation that the accuracy and fairness of ACT UAIs would improve if notional aggregates were calculated for students who left school after completing Year 10 but did not complete Year 12 two years after they completed Year 10, including those who do not begin Year 11 at all, and those who leave part way through Years 11 or 12;
- (10) For each of the past five years, how many students (a) in the ACT senior secondary system were assigned notional aggregates as part of the UAI determination process, (b) in the ACT senior secondary system completed Year 12 but did not complete any T subjects and did not have a notional aggregate calculated for them, (c) were enrolled in Year 12 for at least part of the year, completed at least one T subject during their time within the ACT senior secondary system, but did not complete Year 12 and did not have a notional aggregate calculated for them and (d) who received UAIs were repeating students who had been enrolled in Year 12 in a previous year;
- (11) For each of the five years 2001 to 2005, how many students enrolled in February in Year 11 in the ACT senior secondary system, did not complete (a) Year 11 within the ACT senior secondary system that year and (b) Year 12 within the ACT senior secondary system the following year;
- (12) For each of the years 2000 to 2004, how many ACT Year 10 certificates were awarded across all ACT secondary schools and colleges, other than Canberra Grammar School;
- (13) Of the Year 10 certificate recipients referred to in part (13), how many (a) went on to be enrolled in Year 11 in a school or college within the ACT senior secondary system in February of the following year, (b) went on to gain an ACT Year 12 certificate two years after they received their ACT Year 10 certificate, (c) went on to gain an ACT UAI two years after they received their ACT Year 10 certificate and (d) had a notional aggregate calculated for them two years after they completed their Year 10 certificate.

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

- (1) The changes that were made in late 2006 should have appeared in the ACT Board of Senior Secondary Studies (BSSS) Policy and Procedures Manual 2007 (the manual). This was an omission. The changes will be added as an addendum to the version on the BSSS website. The change to policy was that the year 12 candidature will be defined as 'the group of students who complete at least one T course'.
- (1) The 2008 edition of the manual will contain the new policy.
- (2) Yes.
- (3) The purpose of the manual is to outline BSSS policies and general procedures. Apart from the fact that the table is not the intellectual property of the BSSS, operational procedures are not part of the manual.
- (4) No.
- (5) Yes; (a) a new table relevant to the cohort of students is produced by the NSW Scaling Committee at the end of each year; (b) the 2006 UAIs were slightly higher than those in 2005, for each TER.
- (6) As the table is not the property of the BSSS or the Department of Education and Training, I am unable to comment.
- (7) (a) As a result of the changes made in 2006 based on the recommendations of Dr Daryl Daley, the group of students for whom notional aggregate scores are calculated includes students who did not complete year 12 but completed at least one T course.
(b) Course scores are calculated for T courses only. Therefore there is no data available for students who do not complete a T course, with which to calculate a notional aggregate score.
(c) Notional aggregate scores are now calculated for this group of students.
- (8) Refer 7 (b) above.
- (9) No. The BSSS has recently sought a range of external independent advice on its procedures and also regularly reviews its procedures as new data becomes available. The BSSS has evidence to suggest that the calculation of notional aggregates for students who leave the ACT senior secondary system at the end of year 10, and those who leave during years 11 or 12 without completing a T course, would improve the accuracy and fairness of the system as there is no reliable data on which to make such calculations.
- (10)(a) 2006 – 1268, 2005 – 999, 2004 – 1040, 2003 – 964, 2002 - 866
(b) 2006 – 563, 2005 – 523, 2004 – 457, 2003 – 460, 2002 - 510
(c) 2006 – 0, 2005 – 172, 2004 – 221, 2003 – 260, 2002 - 247
(d) 2006 – 3 students, 2005 – 11 students, 2004 – 20 students, 2003 – 10 students, 2002 – 19 students.
- (11) Non-government schools provide only aggregated student data to the Department of Education and Training for the school census and not individual student attendance records. Therefore, it is not possible to determine whether individual non-government students did not complete year 11 or year 12. The data in tables 1 and 2 is for government college enrolments only.

- (a) Table 1: Number of year 11 students enrolled in ACT government colleges who did not complete year 11 at an ACT government college that year.

Enrolment year	Number that did not complete
2001	302
2002	287
2003	312
2004	310
2005	301

- (b) Table 2: Number of year 11 students enrolled in ACT government colleges who did not complete year 12 at an ACT government college in the following year.

Year 11 enrolment year	Year 12 enrolment year	Number not completing year 12
2001	2002	760
2002	2003	700
2003	2004	758
2004	2005	641
2005	2006	631

- (12) The 2000 and 2001 data in Table 3 is for government schools only. Information on the number of year 10 certificates awarded in non-government schools is not currently available for these years. The information for 2002 to 2004 includes data from government and non-government schools, excluding Canberra Grammar School.

Table 3: Year 10 certificates awarded in ACT secondary schools 2000 - 2004

Year	Government schools	Non-government schools*	Total
2000	2650		
2001	2695		
2002	2510	1860	4370
2003	2453	1962	4415
2004	2472	2018	4490

* Excluding Canberra Grammar School

- (13) The information provided by non-government schools about students awarded year 10 certificates is insufficient to accurately track students from year 10 to year 11 in February of the year following the award of the year 10 certificate. The data in tables 4 to 7 is for students who were awarded a year 10 certificate at a government school and then enrolled in year 11 in February of the following year at a government school, or completed year 12 in a government college two years later.

- (a) Table 4: Number of ACT government school students who received a year 10 certificate and were enrolled at an ACT government college in February of the following year.

Year 10 certificate year	Year 11 February census year	Number of enrolments
2000	2001	2216
2001	2002	2366
2002	2003	2239
2003	2004	2184
2004	2005	2214

- (b) Table 5: Number of ACT government school Year 10 Certificate recipients who received an ACT Year 12 certificate at an ACT government college two years later.

Year 10 certificate year	Year 12 certificate year	Number of students
2000	2002	1707
2001	2003	1775
2002	2004	1706
2003	2005	1694
2004	2006	1730

- (c) Table 6: Number of ACT government school Year 10 Certificate recipients who gained an ACT UAI at an ACT government college two years later.

Year 10 certificate year	Year 12 certificate year	Number of students
2000	2002	1055
2001	2003	1068
2002	2004	975
2003	2005	949
2004	2006	936

- (d) Table 7: Number of ACT government school Year 10 Certificate recipients who had a notional aggregate calculated at an ACT government college two years later.

Year 10 certificate year	Year 12 certificate year	Number of students
2000	2002	389
2001	2003	479
2002	2004	398
2003	2005	473
2004	2006	541

Land Development Agency (Question No 1663)

Mr Seselj asked the Chief Minister, upon notice, on 23 August 2007:

- (1) What is the total floor space of accommodation occupied by the Land Development Agency (LDA) in Kingston;
- (2) What leasing/tenancy arrangements apply to the accommodation occupied by the LDA in Kingston;
- (3) When will any leasing/tenancy arrangements expire.

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

- (1) The Land Development Agency (LDA) occupies 1360m² for its accommodation in Kingston.
 - (2) The LDA occupies 856m² in Territory owned premises and 504m² in temporary buildings under hire.
 - (3) Hiring arrangements can be terminated with 30 days notice.
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